UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/45/697
6 November 1990
ENGLISH
ORIGINAL: ENGLISH/SPANISH

Forty-fifth session
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Situation of human rights in the Islamic Republic of Iran

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report prepared by Professor Reynaldo Galindo Pohl (El Salvador), Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran, in accordance with paragraph 14 of Commission on Human Rights resolution 1990/79 of 7 March 1990 and Economic and Social Council decision 1990/243 of 25 May 1990.

best copy available

ANNEX

Interim report on the situation of human rights in the Islamic Republic of Iran, prepared by the Special Representative of the Commission on Human Rights in accordance with Commission resolution 1990/79 and Economic and Social Council decision 1990/243

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 5	3
II.	COMMUNICATIONS BETWEEN THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN AND THE SPECIAL REPRESENTATIVE	6 - 26	3
III.	INFORMATION RECEIVED BY THE SPECIAL REPRESENTATIVE	27 - 132	10
IV.	REPORT ON THE SECOND VISIT TO THE ISLAMIC REPUBLIC OF IRAN	133 - 263	36
V.	OBSERVATIONS	264 - 291	62

Appendices

I.	NAMES AND PARTICULARS OF PERSONS ALLEGEDLY EXECUTED IN THE ISLAMIC REPUBLIC OF IRAN, SUPPLEMENTARY TO THE LISTS CONTAINED IN PREVIOUS REPORTS OF THE SPECIAL REPRESENTATIVE	69
II.	LIST OF PRISONERS HANDED TO THE DEPUTY MINISTER OF FOREIGN AFFAIRS ON 9 OCTOBER 1990	81
III.	OFFICIAL PROGRAMME OF THE SECOND VISIT OF THE SPECIAL REPRESENTATIVE	86
IV.	LIST OF PRISONERS WHOM THE SPECIAL REPRESENTATIVE REQUESTED TO SEE DURING HIS SECOND VISIT	87
V.	LIST PROVIDED BY THE GOVERNMENT OF EXECUTIONS CARRIED OUT BETWEEN THE BEGINNING OF THE CURRENT IRANIAN YEAR (21 MARCH 1990) AND THE SECOND VISIT OF THE SPECIAL REPRESENTATIVE	89
VI.	GOVERNMENT REPLIES CONCERNING CASES OF EXECUTION LISTED IN PREVIOUS REPORTS OF THE SPECIAL REPRESENTATIVE	94
VII.	MEASURES TAKEN BY THE AMNESTY DIVISION OF THE JUDICIARY FROM 23 SEPTEMBER 1989 TO 7 OCTOBER 1990	95
VIII.	CIRCULAR LETTER NO. 1/7553/9 DATED 4 AUGUST 1990 BY THE HEAD OF JUDICIARY TO ALL JUDICIAL UNITS AND AUTHORITIES	96

I. INTRODUCTION

1. At its forty-sixth session, the Commission on Human Rights decided, by its resolution 1990/79 of 7 March 1990, to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year and requested the Special Representative to submit an interim report to the General Assembly at its forty-fifth session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and a final report to the Commission at its forty-seventh session. In its decision 1990/243 of 25 May 1990, the Economic and Social Council endorsed that resolution.

2. Previously, the General Assembly had decided, by its resolution 44/163 of 15 December 1989, to continue its examination of the situation of human rights in the Islamic Republic of Iran during its forty-fifth session in the light of additional elements provided by the Commission for Human Rights and the Economic and Social Council.

3. In compliance with paragraph 14 of Commission on Human Rights resolution 1990/79 and in response also to the General Assembly's decision to keep the question under consideration on the basis of additional information, the Special Representative submits herewith his interim report on the situation of human rights in the Islamic Republic of Iran.

4. As in previous years, the interim report concentrates on oral and written communications with government officials and on allegations of human rights violations from non-governmental organizations and individuals and very briefly reports on the second visit to the country. Some of the documents received are now under study and if the information they contain proves to be relevant, it will be considered in the final report. Owing to the short interval between the two reports, the interim report has been planned and written as the first part of the final report and the two documents should accordingly be regarded as one.

5. The structure of the interim report is similar to previous reports, and is accordingly divided into five sections: I. Introduction; II. Communications between the Government of the Islamic Republic of Iran and the Special Representative; III. Information received by the Special Representative; IV. Report on the second visit to the Islamic Republic of Iran; V. Observations. There are eight appendices.

II. COMMUNICATIONS BETWEEN THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN AND THE SPECIAL REPRESENTATIVE

A. Communications of a general nature

6. By a letter dated 24 January 1990, the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva transmitted the text of a news release by the Islamic Republic News Agency concerning the amnesty or reduction of the imprisonment term of a group of prisoners condemned by military

courts. According to the information provided, all those sentenced to year-long imprisonment by the military courts would be released and the terms of those with more than a year's imprisonment would be slashed by half. The letter specified that the pardon was decreed on the eve of the birthday of the Prophet's daughter Fatima Az-Zahba by the Leader of the Islamic Republic of Iran, upon the request of the Head of the Judiciary.

7. On 6 February 1990, the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva transmitted a letter addressed to the Special Representative by Mr. M. Mottaki, Deputy Minister for Foreign Affairs, who, in reply to a question raised by the Special Representative during his first visit to the country, submitted two examples of judgements in which the High Disciplinary Court had convicted judges of abuse of authority. The text of the judgement was as follows:

> "Judgement 1/67 dated 17/1/1368 in proceedings brought by the General Inspectorate against Hojjatolislam Shaikh Mohammad Nasiri, President of the Islamic Revolutionary Court at Yazd. Shaikh Mohammad was found guilty of violating the rules of procedure while judging the case of Mr. Mohammad Gholami, who was on trial for possession of opium, opium extract and related apparatus. He sentenced the accused to 15 years' imprisonment, five of which would be suspended on payment of one million tomans. In this respect, his judgement was unlawful and rendered him liable to disciplinary sanctions, which the High Court decided should consist in the forfeiture of one third of the judge's salary and other monthly emoluments for five months, in accordance with article 4 of the relevant act.
>
> "Judgement 64/130 dated 3/6/1364 in proceedings brought by Messrs. Ali Neiri and Vali Neiri against Mr. Hasan Latifi, former judge at the Islamic Revolutionary Court at Langroud. Following an investigation by the General Inspectorate, the judge was found guilty of handing down an unlawful judgement in the case of the brothers Neiri who were on trial for the hoarding of goods, in so far as he ordered the detention of Ali Neiri and the confiscation and sale of the assets of Vali Neiri. The High Court imposed disciplinary sanctions consisting in two years' imprisonment, exclusion from public office for five years and compensation, in cash or in kind, for the losses suffered by Vali Neiri."

8. By a letter dated 2 May 1990 the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva informed the Special Representative about the following clemency:

> "On the occasion of Eid ul-Fitr, marking the end of the month of Ramadan on 26 April 1990, 260 convicts of the Islamic Revolutionary Court and 13 convicts of the Special courts of the Clergy were pardoned in 14 cities in Iran.
>
> "On 1st April 1990, the day of the Islamic Republic of Iran, 79 convicts of the Islamic Revolutionary Courts were released in various cities in Iran.

"On the occasion of the Iranian New Year, on 21 March 1990, 119 other convicts of the Islamic Revolutionary Courts were also pardoned."

9. On 14 June 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations forwarded to the Special Representative the text of a message from Ayatollah Mohammed Taqui Ja'afari, inviting him "not in the capacity of the Special Representative but as a scholar and a scientific and intellectual personality, to pay a visit to Iran prior to your official visit, during which you could participate in scientific and legal meetings arranged in your honour ...". By a letter dated 20 July 1990, the Special Representative thanked Ayatollah Mohammed Taqui Ja'afari for the kind invitation explaining that, given the heavy schedule of academic engagements to which he had committed himself a long time ago, it would unfortunately not be possible for him to envisage an additional private visit before his second official visit.

10. By a note verbale of 22 August 1990, the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva informed the Special Representative of the statement delivered by Ayatollah Mohammad Yazdi, the head of the Judiciary of the Islamic Republic of Iran, on 10 August 1990, in which, referring to article 35 of the Constitution of the Islamic Republic of Iran, Ayatollah Yazdi, "once again emphasized that the courts should be held in public and they must respect the right of every party in a case to choose his or her own legal counsel and even if the person cannot afford to secure legal counsel, it would be provided by the Judiciary". Moreover, a circular letter by the Head of the Judiciary to all judicial units and authorities, dated 4 August 1990, stressing the right of the parties to a lawsuit to select an attorney in all civil and penal courts was handed to the Special Representative by the Deputy Minister for Foreign Affairs at Tehran and is reproduced in appendix VIII to the present report.

11. On 11 September 1990, the Permanent Mission of the Islamic Republic of Iran sent to the Special Representative a copy of a note verbale it had addressed on 13 August 1990 to the International Committee of the Red Cross (ICRC). In that note the Permanent Mission referred to paragraph 167 of the last report of the Special Representative 1/ reflecting a suggestion he had made to the Government concerning regular visits by ICRC to prisons throughout the country in order to ascertain the conditions of imprisonment and, in particular, to look into the situation of political prisoners. The note verbale stated, inter alia, the following: "With due regard to the co-operation of the Government of the Islamic Republic of Iran with the Special Representative of the Commission on Human Rights, the former invites the International Committee of the Red Cross to visit the prisons".

12. By a letter dated 28 September 1990 from the Permanent Representative of the Islamic Republic of Iran at Geneva, the Special Representative was advised of the following measures taken by the Islamic Republic of Iran in implementation of his recommendations:

"1. The Islamic Republic of Iran has officially invited ICRC to visit Iran. The invitation was submitted to the Committee through the note No. 2658 dated 13 August 1990 of this Mission. This invitation was renewed by

READEX FICHE

His Excellency Dr. Velayati, during Mr. Sommaruga's visit to Tehran. ICRC is presently planning for this visit.

"2. The Islamic Republic of Iran has officially invited the Human Rights Centre to provide technical and training assistance and, especially send an expert to give trainings on the preparation of periodic reports, that was announced in the note No. 2482 dated 30 July 1990 and underlined in Mr. Tabatabai's meeting with Mr. Mautner-Markhof.

"3. The Head of the Judiciary's general circular letter No. 1/7553/9 dated 4 August 1990, in which Principle 35 of the Constitution was reminded and underlined. This principle provides for the undisputable right of the accused to appoint a lawyer for the proceedings in the court. [See appendix VIII.]

"4. A bill of law was prepared according to which the period of detention of the accused prior to the pronouncement of the verdict is included in their term of prison.

"5. Clemency measures have been pursued and implemented on various occasions. The details shall be presented during your visit to Tehran.

"6. An academic seminar was held for 'A Comparative Study of Islamic and Western Principles of Human Rights' in which Iranian scholars, authorities, and professors participated. Furthermore, as the Human Rights Centre has been already informed, an international seminar with the participation of Iranian and Foreign scholars, including personalities from the Human Rights Centre, will meet in Tehran for the same purpose in the near future.

"7. Preparation of detailed and elaborate response to the accusations, allegations and claims presented to you by various groups, that were forwarded to the Islamic republic of Iran by you. These responses will be given to you during your next visit to Iran.

"8. Expansion of judicial services and works to promote the living standard of the families of persons sentenced or accused; that includes the creation of a special fund with the financial support of the government and benevolent persons."

B. Communications concerning allegations received by the Special Representative and transmitted to the Government

13. Since the forty-sixth session of the Commission on Human Rights, a great number of reports alleging human rights violations, including specific incidents and cases, have been brought to the attention of the Special Representative. In accordance with the understanding reached during his first visit to the country, the Special Representative transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva by letters dated 12 March, 7, 8, 11 and 23 May, 27 June, and 9 July 1990, several individual cases

of alleged human rights violations which, in his view, required the urgent attention of the Government. The Special Representative requested that the reported incidents or cases be investigated and that he be informed of the results of the Government's inquiries, as well as of the situation of each of the persons concerned, in particular as regards the precise charges brought against them and all relevant details of their trials.

14. By a letter dated 26 April 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva forwarded to the Special Representative his Government's response on one of the individual cases transmitted to it (see para. 33 below).

15. By a letter dated 5 June 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva provided another reply by his Government on the case of 14 persons accused of espionage (see para. 37).

16. By a letter dated 31 May 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva requested the Centre for Human Rights to provide him with all the information available about allegations of human rights violations in the Islamic Republic of Iran, so that the necessary investigations could be conducted and responses provided.

17. In response to that request, by a letter dated 20 August 1990, the Special Representative sent to the Permanent Representative a memorandum containing the main allegations, both general and in terms of individual cases, that had been brought to his attention by various sources. The memorandum included a summary of the cases transmitted by previous letters, as well as further allegations received by the Special Representative. It further recapitulated briefly earlier allegations as reflected in previous reports on which the Special Representative had never received the requested circumstantiated explanations.

18. By a letter dated 8 October 1990, a second memorandum was transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva containing further allegations received by the Special Representative. When communicating the two memoranda to the Government, the Special Representative expressed the hope that they would facilitate preparations for his second visit to the Islamic Republic of Iran and thus enable the authorities to discuss with him in a concrete manner the situations and incidents of which he had been seized. The allegations contained in both memoranda are reproduced in section III of the present report.

19. By a note verbale dated 19 October 1990, the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva transmitted the translation of a letter which the Voice and Vision of the Islamic Republic of Iran (Television) had addressed to the Movement for Freedom in reply to its telex dated 22 September 1990, concerning the televised "confession" of Mr. Behbehani (see para. 230). Relevant excerpts of the letter are as follows:

> "1. Article 52 and paragraph b of Article 55 of the Law governing the policies of this organization clearly stipulate our policy as follows:

"Article 52: 'To enlighten the populace about the devilish plots of the world colonialists and their internal agents for the weakening of deviation of the Revolution'.

"Article 55, paragraph b: 'Denunciation of the activities, plots and working methods of counter-revolutionary groups and the enemy's fifth Column, and familiarizing the populace with the nature of their thinking and practice'.

"2. It has been according to these Articles that the Voice and Vision of the Islamic Republic of Iran has since the victory of the Islamic Revolution broadcast the trials and confessions of hundreds of members of the traitorous and counter-revolutionary parties, groups and grouplets which have conspired in various ways against the Islamic Revolution and the interests of the people and the country or collaborated with the enemies of the Islamic Revolution and the Muslim people of Iran. It might as well be remembered that during the transitional Government which was in the hands of the Freedom Movement and one of whose members headed this organization, series of such interviews and confessions were broadcast on the Voice and Vision. As far as we remember and the records indicate, no response of the concerned elements has ever been broadcast.

"3. Broadcasting by the Voice and Vision of the Islamic Republic of Iran the interview with Dr. Farhad Behbehani represents one such example and is in line with Article 52 and paragraph b of Article 55 of our law.

"4. Upon receipt of the telephone-gram No. 1-1-46/5400, dated 6/6/1369 (24 August 1990) of the Movement for Freedom, its content has been brought to the attention of Farhad Behbehani. While reconfirming his previous statements, he has expressed his readiness to participate in a televised round-table with his critics and respond to their objections, and in his own words, 'Raise the curtain on other plots'. In case of the willingness of the members of the Movement for Freedom, this organization will undertake to hold the round-table."

C. Communications relating to the second visit of the Special Representative to the Islamic Republic of Iran

1. Conversations with representatives of the Islamic Republic of Iran

20. On 12 July 1990, the Special Representative met with Ambassador Sirous Nasseri, Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva. At that time, the Special Representative mentioned that he would like to make a second visit to the country with a view to complying with the terms of the Human Rights Commission's mandate. He also expressed his appreciation to the Government for having allowed his first visit to the country in pursuance of Human Rights Commission resolutions 1984/54 and 1989/66. He stressed the importance of the meetings held with officials from the legislative, executive and judicial branches of the Government in the Islamic Republic of Iran. He added that the visit had enabled him to maintain meetings,

conversations and contacts with a number of individuals and organizations and that he considered them to be very useful in the implementation of his mandate.

21. The Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva told the Special Representative that he would transmit his request to make a second visit to the country to his Government and said that he was pleased to have had the opportunity to exchange ideas and opinions with the Special Representative on matters relating to his mandate. Furthermore, commenting on the request made by the Special Representative concerning the need to receive detailed replies to the allegations of human rights violations, he said that his Government had every intention to reply to those allegations. In that connection, he said that in order to expedite the investigation of the allegations and ensure a prompt reply, the allegations should be stated in the clearest and most unequivocal terms. Lastly, the Permanent Representative reiterated the assurance of his Government's full co-operation in helping the Special Representative to implement his mandate.

2. Written communications

22. On 13 July 1990, the Special Representative sent a letter to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva stating that: "... it would be my intention to carry out this visit before drafting my report to the next session of the General Assembly and I propose as dates for the visit the week 25 to 30 August 1990".

23. On 14 August 1990, a letter from the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the Special Representative was received at the Centre for Human Rights, reading as follows:

> "1. With regard to the date of your second visit, the suitable date would be the 1 of September 1990.
>
> "2. While I also appreciated the occasion we had on 12 July 1990 to exchange views on matters concerning your mandate, I may however regret that for the lack of time, a certain number of serious questions remained to be discussed. Therefore I asked for another meeting with you. Your proposed date i.e. two or three days before your departure for the Islamic Republic of Iran is too late. I am aware of your other commitments but for the seriousness of the matter, I would be willing to have a meeting with you as soon as possible and in any place which is convenient to you.
>
> "3. Concerning the communication of the Centre for Human Rights containing all the allegations which we were expected to receive by the end of July, you may note that we have yet to receive it."

24. By a letter dated 20 August 1990, the Special Representative informed the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva that health reasons prevented him from travelling to Tehran on 1 September 1990, as suggested by the Government, and that he would propose as soon

as possible new dates for the visit, which, for the above-mentioned medical reasons, could not take place before the end of September. The Special Representative assured the Permanent Representative that he would made every effort to arrange for another meeting with him as soon as feasible before his departure to Tehran.

25. By a letter dated 17 September 1990, the Special Representative proposed the period from 6 to 11 October 1990 as new dates for the visit, adding that he could meet the Permanent Representative at Geneva on 28 September 1990. By the same letter, he communicated a list of personalities and places that he would like to visit and reminded him that the terms of reference of his visit remained identical to those described in the annex to the letter addressed on 24 November 1989 to the Permanent Representative of the Islamic Republic of Iran to the United Nations.

26. By a note verbale dated 5 October 1990, the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva confirmed its previous oral reply that the visit could take place during the period from 8 to 16 October 1990.

III. INFORMATION RECEIVED BY THE SPECIAL REPRESENTATIVE

27. The following paragraphs contain allegations of human rights violations received by the Special Representative and transmitted to the Government of the Islamic Republic of Iran by memoranda dated 20 August and 8 October 1990. The memoranda also reproduce those alleged incidents and cases which the Special Representative had transmitted by previous letters. Replies received from the Government with regard to the allegations have also been reflected in this section.

A. Right to life

28. According to a report by the daily Abrar, a man condemned for fornication with a close relative was publicly executed in Mashad. Agence France Presse reported on 16 January that, according to news received from Tehran, a 31-year-old woman convicted for prostitution had been stoned to death in Bandar Anzali. On 31 January Jomhouri Islami published a declaration of the Komiteh Commander of the Province of West Azerbaijan, according to which a ring of persons engaged in prostitution and corruption had been arrested and five of them had been stoned to death. According to a report by Ressalat on 15 February 1990, Gholam Reza Masouri was hanged in Arak for pederasty.

29. Jomhouri Islami reported on 17 February 1990 that Bolouch Ismalel Zehi had been executed for drug trafficking. On 10 January Radio Tehran announced that 31 persons convicted of drug trafficking had been executed, 23 of them in Tehran, 3 at Shiraz, 3 at Sabzevar and 2 at Saveh. According to Ressalat of 11 February, a married couple accused of drug trafficking was sentenced to death in Saveh.

30. Dailies from various countries published the statement of Mitra Moazez (21), claiming that she had been forced to witness the death by burning of a 37-year-old woman and two 18-year-old men in an Iranian prison. According to these reports,

they had been thrown into a furnace by guards, named Jamshid Sohrabi and Mojtaba Halvai. Reportedly, she had been imprisoned from 1981 to 1984 for having taken part in an anti-government demonstration and had been tortured for 85 days before being interrogated. When she was freed, she visited the family of one of the young men, named Asghar Ghorbani Maleki, who told her that prison guards had brought them a box containing Asghar's ashes and that, as a consequence of the shock this had caused, the young man's father had committed suicide.

31. Abbas Raissi, a navy officer stationed at Chah Bahar was said to have been arrested around September 1989 in Chah Bahar on unknown charges. The source of the information presumed that his arrest, as well as the arrest of a group of other persons, related to an incident in which a Government opponent, of whom Mr. Raissi was a close friend and distant relative, was smuggled out of the Islamic Republic of Iran. The group arrested at the same time included two of the opponent's nephews as well as his brother, Mohammed Karim Naroui, who was the Head Postmaster at Chah Bahar, and was executed at Zahedan on 28 January 1990 (8 Bahman 1368), reportedly having been sentenced to death at a trial the previous day. Mr. Raissi, who was detained at either Chah Bahar or Zahedan prison, was said to be at imminent risk of execution; the charges brought against him were not known and no information was available as to whether he had been tried. By a letter dated 12 March 1990, the Special Representative requested information about the charges brought against Mr. Raissi, whether he had been tried and, in the affirmative case, asked that all relevant details concerning his trial and sentence be provided to him. The Special Representative also appealed to the Government, in case Mr. Raissi had been sentenced to death, to consider granting clemency or at least to ensure that all safeguards stipulated in the International Covenant on Civil and Political Rights, particularly in its article 14, had been fully respected in the preceding trial.

32. According to a cable from Nicosia, Cyprus, that appeared in the International Herald Tribune on 29 March 1990, Abbas Raissi and Ahmed Janghi Razni were convicted of espionage, robbery and counter-revolutionary activities and hanged in south-western Iran, in the region of Seistan, according to reports by the Islamic Republic News Agency.

33. By a letter dated 26 April 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva replied that Mr. Raissi had been tried on spying charges for collaborating with Iraq during the imposed war and had been condemned to death. The death sentence was carried out after due judicial process and all solemn rites were performed. The Permanent Representative added that the relevant judicial file would be made available upon request.

34. By a letter dated 7 May 1990, the Special Representative thanked the Government for its reply and requested the relevant judicial file concerning this case. He reiterated his interest in examining the files in the meeting with Deputy Minister for Foreign Affairs Mr. M. Mottaki, held at Tehran on 9 October 1990.

35. On 28 April 1990, the newspaper Kayhan published a report by the Islamic Republic News Agency to the effect that the Prosecutor General of the Tehran Revolutionary Court had announced that 10 persons accused of espionage would be

executed in the next few days. Other sources reported directly to the Special Representative that Mr. Jamshead Amiry Bigvand, former Director of the Marodasht Shiraz Petrochemical Laboratory, and 13 other persons had allegedly been convicted on the charge of espionage for the United States of America, an offence for which capital punishment might be applied. Reportedly these persons had been held for months in solitary confinement at Evin prison, and had not been allowed to avail themselves of legal assistance of their own choosing. It was further alleged that confessions had been extracted under torture and that some of them had been compelled to make extrajudicial confessions which were broadcast by the Iranian television. The Special Representative requested to the Government by a letter, dated 8 May 1990, that all 14 persons be enabled to benefit from all the procedural safeguards provided for in articles 6 and 14 of the International Covenant on Civil and Political Rights and also safeguards 5 and 6 of the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, entitled "Implementation of safeguards guaranteeing the rights of those facing the death penalty". The Special Representative further requested information on the precise charges brought against these persons and all relevant details of their trials. Finally, the Special Representative appealed to the Government that, in the event that all legal remedies had been fully exhausted, every possible consideration be given to the granting of clemency to those persons.

36. On 11 May 1990, the Special Representative, pursuant to his letter dated 8 May 1990 and reiterating the requests expressed therein, communicated to the Permanent Representative 10 more names of persons allegedly belonging to the above-mentioned group of 14 as follows: Dr. Bahman Agahy, Legal Advisor of the Iranian Foreign Ministry; Hooshang Amjadi Bigvand; General Ardeshear Ashraf; Manochehr Azar, Attorney; Masoud Deadehvar, Planning Advisor for the Iranian Oil Company; Navy Captain Kyanoosh Hakeamy; Colonel Bahram Ikany; Heshmatolah Magsoody, Clergyman/Attorney; Captain Gahraman Malekzadeh and Colonel Masoud Payaby.

37. By a letter dated 5 June 1990, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva forwarded to the Special Representative the following response of the judicial authorities of the Islamic Republic of Iran:

> "According to the article 37 of the Constitution of the Islamic Republic of Iran, and as contained in the second paragraph of article 14 of the International Covenant on Civil and Political Rights, no person shall be considered guilty by law unless the accusation against him is proved by a competent court and the courts are naturally obliged to act accordingly;
>
> "In the light of information received by the Islamic Revolutionary Court, those people were arrested and tried in accordance with the law. In addition, they were entitled to appoint a legal counsel and they duly and freely defended themselves during the trial;
>
> "With regard to the right of the accused to resort to higher court, it should be mentioned that the sentences issued in accordance with law could be reviewed in the Supreme Court. Consequently, after the issuance of the verdicts all the accused requested for a review by the court of appeal.

Investigation, therefore, was conducted on their request and the verdicts of the two of the accused were referred to another court for re-examination."

38. On 19 February Radio Tehran announced that 31 persons had been executed for drug trafficking and organizing prostitution in the cities of Tehran, Sabzevar, Karaj, Arak, Kerman, Boushehr, Sari, Qom, Bakhtaran and Rashat. Radio Tehran supplied the names of those executed in each of those cities. Other sources stated that the charges were formation of and participation in international drug-trafficking bands, importing, transporting, purchase and sale of opium, heroin and hashish; corruption and establishment of prostitution centres, perverting girls and married women and corrupting the younger generation. According to an article which appeared on 20 February 1990 in the newspaper Ettelaat, a communiqué issued by the Office of the Prosecutor General stated that decisive legal action against the drug traffickers will continue. The article also indicated the names of the 30 executed persons (see appendix I).

39. It has also been reported that 18 prisoners were executed on 17 and 27 April 1990 in the City of Sanandaj. It was asserted that they were militants who attended May-day celebrations in Sanandaj last year. The names of 14 persons belonging to this group were given as follows: Mehdis Bolur-Forush, Jamal Cheragh-Disi, Nader Fat'hi, Seid Saleh Hossieni, Naser Jalali, Ahmad Mohamadi, Ali Ashraf Moradi, Mohsen Othman Pour, Ahmad Parvizi, Mohamad Rozaii, Naser Sobhani, Anvar Shariati, Roya, Bakhtiari.

40. It has further been reported that on 14 February 1990 a judicial panel sent to Hamadan on behalf of the Head of the Judiciary issued the following sentences:

(a) Gholamhossein Golzar, 27 years old, discharged employee of the Agricultural Bank of Hamadan: 74 lashes for committing robbery; 92 lashes for participation in a forbidden act, and decapitation by the just sword of the Imam Ali;

(b) Gholamhassan Golzar, aged 28, discharged employee of the Hamadan Municipality: 74 lashes for committing robbery; 74 lashes for participation in a forbidden act, and decapitation by the just sword of Imam Ali;

(c) Reza Khanian, 23 years old, fruit and vegetable centre clerk: 74 lashes for committing robbery; 50 lashes for participation in a forbidden act; amputation of hand for committing assault and battery and nanging by scaffold.

41. The newspaper Kayhan announced on 3 January 1990 that Khodakaram Zamani, given a retributory death sentence for the murder of Morad-Ali Rezai, was executed on the main square of Khorramabad.

42. The newspaper Ettelaat announced the following executions: Gholam Zanbgian and Rashid Noor-Mohammadi, in Bakhtaran, on 6 January 1990, for murder; Ahmad Souri, for murder, on 9 January; two persons whose names were not announced, in Mashad on 1 January 1990, for murder; and the murderer of a 13-year-old girl, hanged in Ahwaz.

43. The Special Representative has been particularly shocked of the news of the assassination on 24 April 1990 in Coppet, Switzerland, of Mr. Kazem Rajavi, who represented the National Council of Resistance before various United Nations bodies. All those who knew Mr. Rajavi were deeply moved by that ill-fated occurrence. On behalf of himself and his colleagues, the Special Representative wishes to express his condolences as well as his profound concern and most forceful repudiation of the use of blind violence in lieu of free discussion and the interplay of ideas. Numerous communications were received alleging that the assassination was carried out by agents of the Iranian Government. According to the Tehran Times of 26 June 1990, Foreign Ministry spokesman Morteza Sarmadi had expressed the hope "that the Swiss judicial officials through their thorough and fair investigation of the case conducted away from any pre-judgement, prevent materialization of conspiracies and plots of enemies of the nation and the Government". In this connection, the Special Representative, by a letter dated 19 September 1990, drew the attention of the Permanent Observer of Switzerland to the United Nations Office at Geneva to resolution 1990/8 adopted on 30 August 1990 by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In that resolution, the Sub-Commission had expressed the wish that all facts and circumstances of the assassination of Mr. Kazem Rajavi would be fully investigated and that the Special Representative include information available to him on the investigation in his next report. The Special Representative requested that he be provided by the Government of Switzerland with any information that it would be able to make available to him with regard to the investigation of the case. At the time of the finalization of the present report, the Special Representative had not received the requested information.

44. The assassination of Mr. Rajavi generated fear in persons visiting the Palais des Nations to give information about human rights in the Islamic Republic of Iran. They took extraordinary precautions so as not to draw attention to their lives and their beliefs and asked for special police protection, in some cases notifying the competent authorities in advance of their movements in Geneva or requesting interviews outside the Palais des Nations.

45. It has also been widely reported that the Iranian Government has endorsed the death sentence pronounced by Ayatollah Khomeini against the British author Salman Rushdie. On 5 June 1990, the Leader of the Islamic Republic of Iran, Ayatollah Ali Khamene'i, reportedly stated that the fatwa (religious verdict) of the late Imam Khomeini concerning the author was based on divine rulings and remained irrevocable.

46. In many communications the Special Representative has received, it has been asserted that the families had never been officially notified that their relatives had been executed. In addition, those that were notified were often not told where their relatives had been buried.

47. It has been reported that as of January 1990 persons have been executed in the Islamic Republic of Iran for their homosexual or lesbian tendency. It was asserted that at least five such executions took place in January 1990.

48. The Special Representative has repeatedly received expressions of fear that the serious accusations formulated against the co-signatories of the open letter which Mr. Mehdi Bazargan, Prime Minister of the first provisional Government of the Islamic Republic of Iran, had addressed to the President of the Republic, could result in executions. Particular concern was expressed over a televised "confession" by Mr. Farhad Behbehani, a member of the dissolved Association for the Defence of Freedom and Sovereignty of the Iranian Nation, in which he reportedly admitted connections between the association and foreign Governments. In this connection, the Special Representative wishes to emphasize that such extrajudicial confessions are contrary to internationally recognized standards of due process.

49. Other individual cases were reported as follows:

(a) Mr. Bizhan Ahmadian: It has been reported that he was shot in a street in Babol and that the authorities refused to return his body to the family. Subsequently, his parents and some other members of his family were allegedly arrested;

(b) Mr. Mohammad Fadaii: It has been reported that he was sentenced to five years' imprisonment. At the end of his prison term, which was spent in Meshed prison, he was released. In 1988, allegedly without any reason, he was again arrested, subjected to several kinds of torture, and executed;

(c) Mr. Amir Taavoni-Ganji: It has been reported that in 1987 Mr. Taavoni-Ganji, his wife and daughter, left Iran out of fear for their safety and liberty. When he returned for a short visit in 1988, he was immediately arrested and taken to Evin prison. In November 1989, the prison authorities asked his family to collect his clothes and other belongings, as he had been executed;

(d) Mr. Mohammad Amin Danesh: It has been reported that he was executed on 12 January 1986 in Iranshahr and that his body was burned by the Guardians of the Islamic Revolution;

(e) Mr. Davoud Mohammadi: A former veterinarian working in the Veterinary Office of Arak city. It has been reported that he was executed in October 1989 on charges of drug trafficking, but that the real reason for his execution was to be found in his political activities opposing the Government.

50. Further names of persons who were allegedly executed, updating the lists which the Special Representative annexed to his previous reports, were included in annexes to the two memoranda. They are reflected in appendix I to the present report. The Special Representative requested the Government to provide him with detailed information on the relevant charges and trial proceedings for all persons mentioned.

B. Right to freedom from torture or cruel, inhuman or degrading treatment or punishment; allegations concerning torture, ill-treatment and prison conditions

51. Reports on torture and ill-treatment during imprisonment have continued to be received since the first visit of the Special Representative to the Islamic Republic of Iran. It was also alleged that mutilations and corporal punishment are being applied. In this context, it is pertinent to note that Agence France Presse reported that, according to Kayhan, a person convicted for robbery suffered the amputation of four fingers on his right hand in Ghasr prison at Tehran. On 20 January 1990, the same news agency reported that two persons condemned for robbery had suffered the amputation of four fingers on their right hands. The sentence was reportedly executed in front of a large crowd that had assembled for Friday prayers.

52. By a letter dated 23 May 1990, the Special Representative inquired about the situation of Dr. Ali Reza Nasiri, reportedly being detained on unknown charges at a prison situated at 21, Mohsangi/Asadi Street in Mashad and suffering from an acute eye disease, resulting from diabetes, which urgently required surgery. According to the information received by the Special Representative, Dr. Nasiri was arrested by the Pasdaran in Mashad in 1989. The Special Representative asked to be informed of the charges brought against Dr. Nasiri, as well as of the relevant details of his trial proceedings. He also requested the Government to ensure that Dr. Nasiri receives every medical treatment required for his condition.

53. By a letter dated 15 June 1990, the Special Representative inquired about the situation of Mr. Noureddine Kianouri, former First Secretary of the Tudeh Party, whom he met at Evin prison during his first visit to the Islamic Republic of Iran. According to the allegations received, Mr. Kianouri had been placed in solitary confinement shortly after the departure of the Special Representative from Tehran and had no longer been allowed to receive visits.

54. The Special Representative has also been informed that Mr. Kianouri's wife, Mrs. Meriam Feirouz, was placed in solitary confinement, despite her advanced age and poor health.

55. In addition, the Special Representative received the following allegations:

(a) Jamshid Amiri-Bigvand, 52 years old, former Director of Marodasht Shiraz Petrochemical Laboratory, was arrested on 18 September 1988 in front of the above-mentioned laboratory. Mr. Amiri was placed in solitary confinement in Evin prison and was allegedly tortured;

(b) Parvin Amiri-Bigvand, 51 years old, wife of Houshang Amjadi-Bigvand, was arrested in November 1988 at her residence in the city of West Kots with her husband and her children. She was placed in solitary confinement for eight months and then released. She was allegedly tortured during her stay in solitary confinement;

(c) Houshang Amjadi-Bigvand, 51 years old, self-employed, was arrested in November 1988 at his residence in the city of West Kots. His children and his wife were also arrested at the same time. He was placed in solitary confinement in Evin prison where he was allegedly tortured. Although his general condition of health was reportedly poor, owing to a bleeding stomach ulcer, Mr. Amjadi had reportedly not been permitted to receive medication from outside the prison;

(d) Reza Arbabi, 38 years old, was reportedly arrested in 1983 and kept in Mashad prison. On 22 June 1984, he was sentenced to 15 years' imprisonment by the Mashad Court. Later he was transferred to Gohardasht prison, allegedly in a serious condition. Since 1988, his family have had no news about him;

(e) Mr. Yagoub Bahramy. It has been reported that he was repeatedly subjected to beatings in Ghasr prison;

(f) Mr. Asdollah Bayat. It has been reported that he was repeatedly beaten with cables in Ghasr prison, resulting in mental problems;

(g) Mr. Ardeshir Bonyani. It has been reported that he was arrested in December 1989 for refusing military service. He was reportedly beaten up and his jaw broken;

(h) Mr. Kamran Bonyani. It was reported that he had distributed pictures of the late Shah and displayed the former Iranian flag in Valiahd Square and Pole-Seyyed Khandan. Reportedly, he had been arrested by the revolutionary guards at the house of a certain Mr. Misaghieh at Shemiran and taken to the Komiteh in Jamaran District, where he was allegedly tortured; as a result, his jaw and teeth were broken;

(i) Mr. Aslan Fadavy. It has been reported that at Evin prison he suffered severe beatings;

(j) Mr. Masood Farjad, engineer. Security officers allegedly used burning cigarette butts to inscribe on his back "death to opponents of Velayate Faghih" (religious guide);

(k) Mr. Navabali Ghaemmaghami. It has been reported that he was subjected to various forms of sexual abuse and psychological torture in Ghom prison. He was allegedly forced to watch other prisoners being tortured. Several times, his clothes were reportedly soiled with the urine and excrement of other prisoners;

(l) Mrs. Tahere Hadadian-Zanjani, aged 53, reportedly spent more than five years in prison, partly in solitary confinement. As a result of being flogged on the soles of her feet with cables, and other kinds of alleged torture, she had to undergo surgical operations;

(m) Ms. Soraya Hagh-Shenas. It has been reported that the Procurator of Tabriz prison allegedly ordered her arrest when she refused his sexual advances. In prison she was allegedly flogged and forced to witness other prisoners being tortured;

(n) Mr. Ahmad Khanzamapour. It has been reported that he was imprisoned from 1981 to 1986 in Evin, Gohardasht and Ghezel-Hesar prisons. Despite the fact that he has epilepsy, he was allegedly subjected to different kinds of torture. In particular, it was reported that he was beaten with cables, that his genital organs were connected to electric wires and that he was forced to witness other prisoners being tortured. Allegedly, the prison guards used to confiscate the drugs he needed to treat his epilepsy, and when he had epileptic fits, medical care was not provided except in the most critical situations;

(o) Mr. Habib Maffi. It has been reported that the prison guards in Tabriz broke his teeth during beatings. Reportedly, he also suffers from severe mental problems as a result of torture;

(p) Mr. Ebrahim Mazroii. It was alleged that he was unlawfully imprisoned and tortured. He reportedly filed a complaint with the authorities, but to no avail;

(q) Mr. Afrasiab Pakzadegan. It has been reported that, on two occasions at Ghom prison, he was tied to a chair while dogs were incited to attack him;

(r) John Pattis, citizen of the United States of America. It is reported that he has been held in Evin prison for four years. The prison doctors have allegedly stated that he is suffering from severe anaemia due to malnutrition, from weight loss, loss of hair and that his skin has a green hue;

(s) Mr. Rahim Rahseparian. It has been alleged that he was forced to perform various sexual acts in Tabriz prison;

(t) Ahmad Rashed-Marandi, 32 years old. He was arrested in 1981 at Tehran and sent to Evin prison, where he allegedly was under constant torture. In 1983, he was sent to Ghasr prison at Tehran. Since 1989, the prison guards have not allowed any meetings with him. Since then there has been no news of Mr. Rashed-Marandi;

(u) Mr. Mostafa Salehyar. It has been reported that four prison guards sexually abused him and that he was beaten on his genitals;

(v) Mohammad Reza Sedaghat, former manager at one of the Government offices. It has been reported that he is in prison without any charge and trial, and that he has suffered from torture many times, resulting in serious damage to his feet;

(w) Ms. Fatema Taati-Asil. It was reported that she was arrested in 1981 on the accusation of being a Mojahedin sympathizer. While in prison, she was allegedly subjected to torture, resulting in serious mental disorder. She was released in 1988, after six years of imprisonment;

(x) Jamshid Torabi, 37 years old, was arrested in 1982 and taken to Evin prison. There he was given a brief trial, reportedly without the presence of a lawyer for his defense. He was sentenced to an undefined period, from 15 to 17 years' imprisonment. Later he was transferred to Gohardasht prison, where he

was held until the spring of 1989, when he was transferred back to Evin prison. Allegedly he has been severely tortured several times during his years of imprisonment;

(y) Ms. Mehrangiz Yeganeh. It has been reported that she was arrested in 1981 and charged with being a Mojahedin sympathizer. She was imprisoned for two and a half years in Tabriz prison. It was asserted that in prison she was subjected to different kinds of torture and rape. Allegedly as a result of having been raped repeatedly, her intestines were damaged and she had to undergo a surgical operation. She was hospitalized for 18 months, first in the hospital of Tabriz prison and then in an ordinary hospital. It is alleged that she has not yet fully recovered.

C. Administration of justice

56. It has been reported that, although the Administrative Regulations Governing the Revolutionary Courts and Public Prosecutor's Offices stipulate that an Islamic revolutionary court should be presided over by a religious judge and that it should be composed of as many as five members, in practice, such courts have consisted of only one judge discharging his duties in a summary fashion. Allegedly, hearings before such courts have in many instances been a matter of minutes only.

57. It has also been reported that trials before Islamic revolutionary courts have usually taken place in secret, sometimes inside prisons, that defendants have not enjoyed the right to be represented by a lawyer, and often have not even been made aware that the proceedings were in fact a trial and not an interrogation session.

58. It has been reported that prisoners may be held in indefinite pre-trial detention. The principle of presumption of innocence is allegedly not respected, particularly when the subject is accused of being a member of an armed opposition group. It was said that lawyers generally do not accept cases of such a nature in order not to be suspected of being armed opposition sympathizers themselves. The absence of lawyers in political trials has been considered as one major shortcoming in the procedures of revolutionary courts. Others were said to consist in the denial of the right of the accused to call witnesses in their own defence, and in the absence of the right of appeal against verdict and sentence. In this connection, it may be recalled that, during his first visit, the Special Representative was informed by the President of the Supreme Court of Justice that the right of appeal is recognized and that no exception is made in cases under the jurisdiction of the revolutionary courts. However, Article 11/2 of the Administrative Regulations Governing the Revolutionary Courts and Public Prosecutor's Offices precludes the possibility of any revision being made to the judgements of Islamic revolutionary courts. (For the explanations received from the authorities in this regard see para. 206.)

59. It was also said that, in the proceedings of revolutionary courts, the requirement for adequate time and facilities for the preparation of a defence is generally not met. Reportedly, during the period of investigation, persons to be tried before revolutionary courts are frequently held in solitary confinement and

incommunicado and are not informed sufficiently in advance of the date of their trial. It was further alleged that in practice the Islamic revolutionary courts give greater priority to handing out exemplary punishments than to ensuring that the accused receive a fair trial.

60. Other reports alleged disregard of court sentences by arbitrary extension of the terms of imprisonment, execution of inmates sentenced to life or imprisonment of various durations or rearrest of persons who already completed their prison terms.

61. With regard to the administration of justice in cases of drug trafficking, it has been reported by the newspaper Abrar that, in conformity with instructions given by the Deputy Chief of Intelligence of the General Committees Command, since the entry into force of a new law against drug trafficking, 50,000 drug addicts have been arrested, including 19,822 heroin addicts, 22,963 opium addicts, and 7,215 hashish addicts. According to figures provided by Radio Tehran on 10 January 1990, out of a total number of 800,000 drug addicts in the country, 50,000 have been arrested. On 24 January 1990, Radio Tehran announced that 335 drug traffickers and pushers had been arrested on 21 January, as well as 2,231 addicts, and that all had been handed over to the judicial authorities.

62. The Special Representative has been apprised of the following specific cases of alleged irregularities in the administration of justice, which were reported as follows:

(a) Ms. Mitra Ameli, aged 36, widow, medical doctor, daughter of Ziaedin and Aghdas. It has been reported that she was arrested on 9 October 1984 and sentenced to seven years' imprisonment. Her husband, Mr. Anoushirvan Lofti, one of the leaders of the Organization of Iranian People's Fedeyan, was arrested in 1983 and executed in 1988. Her daughter, Khatereh, was born in prison on 30 March 1984. On 28 April 1984, the child was given to Mitra Ameli's mother for care outside the prison. It was reported that Ms. Ameli's release, due in 1990, had been made contingent upon her publicly denouncing the activities of her late husband;

(b) Mr. Roger Cooper, British, aged 55, businessman. It has been reported that he was arrested on 7 December 1985, apparently for overstaying his visa. He was allegedly held without charges, and was refused any consular visit until August 1986. During the early months of his detention he was described publicly as a British spy and was portrayed in a television interview as confessing to vague spying charges. However, no charges have ever been announced and no public trial held. Consular access has allegedly been inadequate. He has received only six consular visits from members of the British Interests Section and four from members of his family since his detention. His right to send and receive mail has reportedly been seriously limited, although this is said to have improved in recent months. Rumours were reported according to which he had been sentenced to two terms of imprisonment on spying charges, with the result that he would not be eligible for release until about 2003;

(c) Jamshid Fadec was reportedly executed in the city of Masjed Solaiman after four months of imprisonment and without a trial. During his time in prison his family was not permitted to visit him;

(d) Mehrdad Fadec. It is reported that he was executed in the city of Masjed Soliaman after 4 months of imprisonment and without a trial. During his detention his family was not permitted to visit him;

(e) Mr. Saeed Firooz, accountant in the Office of the Justice Ministry in Tonekabon. It was reported that on 3 December 1989, 10 Guardians of the Islamic Revolution went to his house, took away some of his private documents and intimidated his wife and children. Later in the day, two Guardians of the Islamic Revolution came to his office and took him to Nashtaroud prison, blindfolded and handcuffed. The Guardians told him that his arrest warrant had been issued by Mr. Ramazanipour, Public Prosecutor of the Islamic Revolution in Tonekabon. In prison, Mr. Firooz was asked to sign some prepared texts incriminating certain officials of the Justice Ministry and secular judges in Tonekabon who had sentenced some Guardians of the Islamic Revolution to death for having carried out assassinations. Mr. Firooz refused to sign the papers and as a consequence was allegedly tortured. His wife reported the matter to the Office of the Inspectorate General at Tehran. Two inspectors came from Tehran and reportedly confirmed that the prison authorities had tortured Mr. Firooz and other prisoners. However, later the inspectors returned to Tehran as a result of pressure exercised by higher religious authorities without concluding their investigation. When Mrs. Firooz tried to pursue the matter in Tehran with the Office of the Inspectorate General, Guardians attacked and confiscated her car. Mr. Firooz subsequently managed to escape from prison;

(f) Ms. Hura Fuladpour, aged 38, married, teacher, daughter of Ghasem and Sedigheh. It was reported that she was arrested in February 1983 in Tehran and sent to Evin prison. She has allegedly not been informed of the reasons and duration of her imprisonment;

(g) Ms. Zohreh Ghaeni, aged about 35, widow, high school teacher and editor of a young women's newspaper of the Youth Organization of the Tudeh Party, Azarakhsh. It is reported that she was detained as she was going to a meeting at the Party's offices in Tehran in early 1983. Her husband, Mr. Kiumars Zarshenas, and another 50 people were arrested on the same day. For about six months after Zohreh Ghaeni's arrest, there was no news of her whereabouts and no one was able to see her. Subsequent to televised confessions by several Tudeh Party leaders, she was able to telephone her family. Two or three months later, the authorities at Evin prison notified her family that they would be permitted to visit her once every two weeks. She was allegedly not tried until about three and a half years after her arrest. Her trial reportedly consisted of her being brought before a mullah who sentenced her to eight years' imprisonment. This sentence was to run from the date of trial and did not take into account the period of pre-trial detention. The precise charge against her is allegedly still not known. Reportedly, she was told by the prison authorities that she must divorce her husband, as he was a communist and an atheist. She refused to comply and her husband was executed in autumn 1988. During the time of the Government of the Shah, Ms. Ghaeni spent one and a half years in prison as a result of her political activities;

(h) Mahmoud Hassani was reportedly sentenced to seven years' imprisonment and executed shortly before completion of his prison term;

(i) Sussan Hosseinzadeh-Arabi, born in 1962 in Rasht, was reportedly detained on 15 September 1981 and executed in the city of Rasht on 14 September 1989, allegedly without any trial;

(j) Ms. Fatemeh Hosseinzadeh-Tussi Moghadam, also known as Giti Azareng, aged about 40, widow, employee of an insurance company. It has been reported that she was arrested in April 1983 with her two-year-old son, who was imprisoned with her but later released and handed over to relatives. She was sentenced to 13 years' imprisonment, apparently for having links with the Tudeh Party. Her husband, Saeed Azarang, was executed in the latter part of 1988;

(k) Ms. Fatemeh Izadi, aged approximately 40, widow, medical doctor. It was reported that she had been a political prisoner under the Shah's régime and was again arrested in February 1983, at the same time as her husband, Mr. Fariborz Salehi, for activities in support of the Organization of Iranian People's Fedeyan. Her husband was executed in 1988. She was sentenced to 20 years' imprisonment after a summary trial. While in prison, she has allegedly contracted tuberculosis;

(l) Mahin Jahangiri, 26 years old, was reportedly imprisoned in 1981 in Semiron. After approximately 35 days in prison, she was allegedly executed without trial;

(m) Mohammed Gholi Jahangiri, 24 years old, was imprisoned in 1981 in Semiron, and allegedly without any trial, was executed after 35 days in prison;

(n) Mr. Amir Houshang Kamrani. It has been reported that he was arrested in 1984. In 1986 he was sentenced to 30 years' imprisonment. Since 1988 he has not been allowed to receive visits. His present whereabouts are unknown;

(o) Ms. Malekeh Mohammadi, aged about 65, widow, journalist and editor of the Tudeh Party newspapers Mardom and Donya. She was arrested in April 1983, along with Meriam Firouz, and sentenced to death, but the sentence was later commuted. The charges on which she was convicted are unknown. She was married to Mohammed Pour-Hormozan, a leading Tudeh Party figure, who was executed in the autumn of 1988;

(p) Seyyed-Mehdi Nasry, 64 years old. It has been reported that he has been detained since 24 April 1988 without any charge or trial, allegedly because his son was a Mojahedin supporter;

(q) Mr. Mohammad-Taghi Rahimpour, assistant lieutenant in the Army. It was reported that he was arrested in 1981, allegedly because the Guardians of the Islamic Revolution were unable to arrest his wife, Ms. Zahra Nouri, accused of being a Mojahedin sympathizer. In 1982, he was sentenced to life imprisonment in a summary trial which reportedly lasted five minutes;

(r) Ali Reza Rajai, born in 1957, was reportedly executed in 1989 after six years of detention in Evin, Gohardasht and Ghezel-Hesar prisons. Reportedly, he had been sentenced to only five years;

(s) Ms. Manijeh Riazi, aged 36, married, student, daughter of Jaber. It has been reported that she was arrested in June 1981, sent to Evin prison and sentenced to two years' imprisonment. At the end of the two years, she was again questioned but not released. She has allegedly not been told why and how long she must remain in prison;

(t) Ms. Faezeh Sabetjahromi, aged 33, married, student, daughter of Fathali and Ehteram. It has been reported that she was arrested in 1983 in Hesarak, Karaj, with her six-month-old son. The child was in prison up to school age. Ms. Sabetjahromi was sentenced to 10 years' imprisonment. She is the wife of Mr. Ebrahim Avakh, leader of the Organization of Revolutionary Workers of Iran;

(u) Ms. Fatemeh (Zohreh) Sadigh Tonekaboni, widow, teacher. It was reported that she had spent over five years in prison during the Shah's Government, but had been released at the time of the revolution. She was re-arrested in 1983. It is not known whether she has been tried or sentenced since then;

(v) Mohammad Reza Sedaghat. It has been reported that he is in prison without any charge or trial;

(w) Mehdi Vosooghian was reportedly arrested in 1985 and sentenced to four years' imprisonment. After the first year he was tried again and convicted for 12 years. In June 1988, he was reportedly executed.

D. Freedom of opinion, expression, press and association and right to peaceful assembly

63. It has been reported that the Government continuously intervenes in the free flow of information in the form of letters, telegrams, telexes and telephone conversations. In this connection it was alleged that a large number of disabled veterans have been hired and placed in the communications offices throughout the country to monitor telephone conversations between citizens. Letters coming in and going out of the country are allegedly routinely opened.

64. It has also been reported that printing houses are required to obtain the previous formal permission of the Ministry of Culture and Islamic Guidance for all publications and that printing paper is attributed by the Ministry only to those publishing houses whose publications have been approved.

65. On 27 June 1990, the Special Representative sent a letter to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva expressing concern about reports received according to which a number of co-signatories of an open letter which Mr. Mehdi Bazargan, Prime Minister of the first provisional Government of the Islamic Republic of Iran, together with 89 other persons, recently addressed to the President of the Republic, had been arrested. The names of some of the detained co-signatories of the open letter were given as follows: Abdol Ali Bazargan (son of Mehdi Bazargan), Ezzatollah Sahabi (former Director of Planning and Budget), Reza Sadr (former Minister of Trade), Hussein Bani Assadi (former Vice-Prime Minister), Shams Shahshahani (former

Prosecutor of Tehran), Nour Ali Tabandeh (lawyer and former Vice-Minister of Justice), Yadollah Chamse Ardallan, Ali Ardalan, Rochan Ardalan, Farhad Behbahani, Abbas Ghaem Sabahi, Khossro Mansourian, Hashem Sabaghian, Ezatollah Hamede Sahabi, Mohammad Tavassoli and Akbar Zarrinehbaf. The Special Representative requested the Permanent Representative of the Islamic Republic of Iran to provide him with information about the arrest of these persons, the charges brought against them and about the Association for the Defence of Freedom and Sovereignty of the Iranian Nation, which had been allegedly dissolved as a consequence of the open letter. The Special Representative requested assurances that any persons arrested in the above context would receive humane treatment while in detention and benefit from all procedural safeguards provided for in the International Covenant on Civil and Political Rights.

66. On 9 July 1990, the Special Representative transmitted the following additional names of persons allegedly arrested as a consequence of the open letter: Mr. Habib Davaran, Mr. Naim Pour, Mr. Amir Tavakol Ebrahimi, Mr. Hossein Shah Hosseini, Mr. Nezamedine Movahed, Mr. Mahmoud Maleki, Mr. Hormoz Momayezi, Mr. Said Sadr, Mr. Hamid Sadr, Mr. Khosrow Parsa, Mr. Ahmad Shayegan, Mr. Mahmoud Habibi, Mrs. Shahin Parsa and Mrs. Azar Sadr. He also reiterated the requests made in his letter of 27 June 1990. On 8 October 1990, the following additional names of allegedly arrested persons were communicated to the Governments: Mr. Abedi Rahim, Mr. Ghaemossabahi-Abbas, Mr. Yekta Habib, Mr. Gorgi Ali and Mr. Gharavi Asghar.

67. On 12 July 1990, the Special Representative heard the testimony of Mr. Aboulfaz Khorassani Nejad, who said he was a political science graduate and a reporter for an evening newspaper. He said that his journalistic activities had caused him serious problems: on the one hand, his articles were often censored or not printed and he was not entirely free to practise his profession. On the other hand, because of his articles, he received many letters containing threats from the Mojahedin, which considered him a collaborator of the Government without realizing that his articles were often rewritten. In 1981, he and his wife were assaulted by two individuals armed with revolvers who shot at them. As a result of that attack, his wife died.

68. Another person interviewed the same day said he had belonged to the Tudeh Party and carried out political activities in the north of the country on the border with the Union of Soviet Socialist Republics. In September 1983, he had been arrested and had been in prison until February 1988.

69. Many press reports, publications of opposition groups abroad and reports from Iranian sources told of clashes between demonstrators and Pasdaran on the outskirts of Shiroudi Stadium in Tehran. The incidents were apparently set off by the cancellation of the soccer games and the fans' protests turned into political protests. The people demonstrating shouted their opposition to the Government and hurled stones against cars and buildings. Official sources acknowledged the arrest of some 30 demonstrators and added that they were released after interrogation. However, information from other sources accused the Revolutionary Guards of shooting into the crowd indiscriminately in addition to arresting many demonstrators and added that 10 persons died in those incidents and were secretly buried in unmarked graves in Behesht-Zhara Cemetery.

70. On 17 April 1990, The Times of London printed a cable from Tehran saying that the police had arrested 65 people in the northern quarter of Tehran because they were shouting political slogans and disturbing public order. The same dispatch told of the arrest of a group of alleged hooligans attending the funeral of Aref Valizadeh, who had been killed by the police on Monday, 16 April, when they tried to arrest him.

71. The National Resistance Movement of Iran announced that Mr. Shapour Bakhtiar had called for peaceful marches along the main avenues of all Iranian cities on Friday, 18 May, from 10 a.m. to noon to demand that the Government hold free elections under United Nations supervision. On 21 May 1990, Mr. Shapour Bakhtiar told the Director of the Centre for Human Rights that peaceful demonstrators who had responded to his call to march for free elections had been attacked and beaten by groups supporting the Iranian régime although they had not shouted slogans of any kind.

72. On 19 February 1990, Kayhan International published a report that the Ministry of the Interior had authorized three political parties and associations to function: Hedayet-e-Islami (Islamic Guidance), headed by Darius Zargari Marandi; the Islamic Association of Graduates of the India-Pakistan Subcontinent, whose president's name was not given; and the Society of Zoroastrian Priests, headed by Ardeshir Azarghoshasb.

E. Freedom of movement; right to leave one's country and to return

73. It has been reported that the Government is maintaining a computerized list of nearly 35,000 names of Iranian citizens who are forbidden to travel abroad. Those Iranians allowed to travel abroad have to pay heavy exit duties and passport fees in addition to airport tax. The reported amounts are as follows: exit duties, $US 625; passport fees, $US 275; airport tax, $US 2,500. A person leaving for a second time during a calendar year is reportedly obliged to pay double the amount of exit fees. Travel agencies, when issuing tickets, are reportedly required to register the travellers' name and address, their destination and place of sojourn, and to report it to the security authorities.

74. The Special Representative has received the following complaints of an individual character:

(a) Bahieh Shahidi, 75 years old, housewife. In August 1988, while departing Mehr-Abad to the United States of America, she was reportedly prevented from boarding the aeroplane. Her passport was confiscated under the charge of being a Baha'i, irrespective of the fact that in her passport application she had declared herself as Moslem. She was allegedly told by the authorities that she would be permitted to leave the country if she was willing to sign a statement that she was not a Baha'i. She signed such a statement, but the confiscated passport was never returned to her and she was not permitted to leave the country. All her children are living in the United States of America;

(b) Reza Kadipanah, Iranian resident in the United States of America, sent his passport for renewal to the Iranian Interest Section at the Algerian Embassy in Washington, D.C. in November 1984. He received a letter from the Interest Section stating that his passport had been confiscated because he had participated in anti-government protests.

F. Allegations of intimidation or reprisal

75. In its resolution 1990/76, adopted on 7 March 1990, the Commission on Human Rights condemns all acts of intimidation or reprisal, in whatever form, against private individuals and groups who seek to co-operate with the United Nations and representatives of its human rights bodies, or who have sought to avail themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms. It further requests all representatives of United Nations human rights bodies reporting on violations of human rights to the Commission or to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in the exercise of their respective mandates, to take urgent steps, in conformity with their mandates, to help prevent the occurrence of intimidation or reprisal, and to devote special attention to the question in their respective reports to the Commission or the Sub-Commission.

76. The Special Representative has received the following complaints about cases of intimidation or reprisal:

(a) Achea Ahmadi. It is reported that the family of this person, who was executed in mid-1988, was warned by the prison authorities of the consequences they would face in case news of the execution was made public;

(b) Noureddin Kianouri, former first secretary of the Tudeh Party, and his wife Meriam Feirouz. It is reported that, shortly after his meeting with the Special Representative at Evin prison, during which, inter alia, he asserted to have been subjected to torture, Mr. Kianouri was placed in solitary confinement and has no longer been allowed to receive visits. It was also reported that the same treatment has been applied to Mr. Kianouri's wife;

(c) It was also alleged that, during the Special Representative's first visit, several persons who had tried to contact him at the UNDP Office at Tehran had been prevented from doing so by Government agents who took them for questioning to various Komiteh installations. In particular, it was reported that a husband and wife (names provided to the Special Representative) had been taken in this manner to a Komiteh at Mottahari Avenue in central Tehran, where they were questioned, intimidated and asked to sign a written commitment not to contact the Special Representative or any member of his team. According to the report, these persons subsequently received several death threats over the telephone and were repeatedly summoned by the Komiteh. It was also said that a great number of potential complainants (former political prisoners or relatives of executed persons) were also threatened over the telephone or summoned to Komiteh installations or the revolutionary prosecutor's office and ordered, under threats of imprisonment or execution, to keep away from the Special Representative.

77. In a letter dated 23 March 1990, Mr. Bazargan, former Prime Minister of the first provisional Government, told the Special Representative that in letters dated 15 and 16 February 1990 to the Prosecutor General of Tehran and the Minister of the Interior respectively, Mr. Tavassoli had reported that he and his family had received threats and abusive telephone calls in the days following his conversation with the Special Representative. He had attached copies of the letters.

78. On 13 July 1990, the Special Representative had an interview with a witness who requested that his name be kept confidential. The witness stated that after the Special Representative had left Tehran, family members and relatives of witnesses who had testified before the Special Representative had received threats or been arrested. He stated further that some prisoners who had appeared before the Special Representative had been tortured and received death threats. At the request of the Special Representative, the witness undertook to provide specific and detailed information about the acts he had denounced.

G. Situation of women

79. According to reports received by the Special Representative, women in the Islamic Republic of Iran have suffered from various acts of discrimination. Unequal treatment meted out to women has been alleged in the following particular areas.

80. In the family context it has been reported, inter alia, that a husband, father or brother may kill his wife, daughter or sister when she commits an immoral or unchaste act. Further, in case of dissolution of marriage, a mother's right of custody over her children was said to be limited to the son under two years of age and the daughter under 7 years, even when the father has died.

81. In the area of equal opportunities for women, it was alleged that women have no access to certain fields of study, e.g. graphics, visual communications and cinematography. Promotional opportunities for women were said to be few, with practically no women in managerial or supervisory positions.

82. With regard to the administration of justice, it was reported that a woman's testimony in court was considered to be worth half that of a man. Thus, it would take two women witnesses to offset a single male's testimony. It has also been alleged that a virgin woman condemned to death goes through forced matrimony and is deflowered before the death sentence is carried out.

H. Situation regarding the rights of children

83. It has been reported that, according to Clause 1 of Article 1210 of the Civil Law, the age of puberty for girls has been determined to be nine lunar years (equivalent to eight years and nine months). At that age, the father or the paternal grandfather reportedly has the right to marry off his young daughter to anyone he considers suitable, in exchange for a sum of money, the so-called "Shir Baha".

84. It has also been reported that, according to Article 32 of the Law dealing with Islamic punishment, physical punishment of children is permitted to the limit of maiming them.

I. Testimonies concerning acts of violence against the civilian population

85. On 23 February 1990, six witnesses members of the Organization for Defending Victims of Violence, an organization established in the Islamic Republic of Iran, requested to be heard by the Special Representative in Geneva. They asked that their names be kept confidential.

86. One witness stated that he used to be a teacher of English and had never engaged in political activities. Since he was bearded, the Mojahedin suspected him of being a fundamentalist and Government agent and made an attempt on his life which resulted in the death of his wife. They advertised the incident as "having executed a Government agent". The witness stated that he had not been in his wife's company when the killing took place. He further stated that in Tehran he had tried to see the Special Representative without success. He promised to send a list with the names of 12 people who, according to him, were also killed by the Mojahedin. He stated that his trip to Geneva had been financed by the families of people who had died in similar circumstances.

87. Another witness stated that he was an ex-member of the Mojahedin. He had joined the movement after the Revolution, as he had been attracted by its propaganda. For two years he was trained in political activities, such as organizing of public demonstrations and social upheaval. Afterwards he went through a military training period. In the year following his military training he was arrested by the Government and taken to Evin prison. He stated that he never had participated directly in military activities. He was condemned to 10 years in gaol but was released during the general amnesty in 1986 after serving 4 years. He had knowledge of at least three assassinations perpetrated by Mojahedin agents; the victims were a grocer, a taxi driver and a watchmaker.

88. Another witness stated that he was a medical doctor by profession and an ex-member of the Democratic Kurdistan Party. He had belonged to that party two years before and one year after the Revolution. He alleged that the Democratic Kurdistan Party had received money from the Government of Iraq before the war. In fact, each family involved in this party had received 5,000 dinars from the Iraqi Government. The Iranian agent for the distribution of money was a man called Abdullah and was presently very influential with the Party. Although he was in exile now, he continued his activities from abroad. According to the witness, the Kurdistan party told their members after the Revolution not to hand in the weapons used in their fight against the Shah. One year after the war with Iraq had started, a group of people from the Party went to Iraq and brought back arms to fight the Iranian Government. The witness expressed the view that the present Government has been lenient and has accepted many facts of Kurdish life, such as publications in their own languages. Although courses in Government schools are taught in Farsi, private schools which conduct their teachings in Kurdish are

permitted. This was not the case during the period of the Shah. He further stated that frequently he had received death threats and that many of the people who had a relationship with the central Government had been assassinated. He stated that he knew of the assassination of a woman who was five months pregnant when she was killed on suspicion of co-operating with the Government.

89. Another witness stated that she had joined the Mojahedin for a period of three years through her husband who was a Mojahedin leader. Both had received military training and she had served as a deputy to her husband. They were arrested together and her husband was executed. As his deputy she had initially been condemned to prison for life, but her sentence was later reduced to 10 years. She was released in 1989, after having served six years. The witness further stated that, as an ex-member of the Mojahedin, she could testify to the fact that they were a terrorist group. She had been told by the Mojahedin that certain people were considered as essential to the Government and that if they were killed the Government would collapse. Now she realized that this system of struggle was not rational. One terrorist she had known personally was Mr. Radjavi, who had served in the group of her husband. In 1982 Mr. Radjavi had killed a grocer at Dj'an Houri whose name was Hossein Mehrabanian. Mr. Radjavi had also received the order to kill a wood carver, called Davood Nazeur Baka, who had left the Mojahedin organization. Two other members of her husband's group, who were later caught, had killed a seller of textiles by the name of Haji at Narmak. Another killer belonging to the group was Ali Soleamani who lived at Djavadeeh and had assassinated a housewife. Another terrorist she knew had killed two people, one of whom owned an electricity shop in Jajreesh Street and the other, by the name of Mahmoud, had lived in Tajreesh Street. The witness stated that it was not easy for a member of the Mojahedin to leave the organization and asked the Special Representative's help in this regard. The witness also stated that, while in prison, she had met a girl by the name of Mozgan Momayoum Far who was a member of the Mojahedin. Her foot had been amputated as a result of an accident she suffered while carrying out a Mojahedin mission; after the accident, the driver had left her without organizing help. Later the Mojahedin publicized the case, alleging that she had lost her foot during her stay in prison.

90. Another witness stated that she had been arrested in September 1971, as she had held responsibility for the protection of one of the private hiding places of the Mojahedin. Five or six persons were living there; one was called Mohammed and was the perpetrator of several assassinations. In 1981 a fruit seller was killed by Mohammed because he supported the Government. Other members of the organization, called Ali-Reza Madani and Reza Ostad Hossein, had killed two college students by the names of Reza Darrsh Vand and Naserh Salem. The entire group was arrested in September 1981. The witness stated that when new members joined the Mojahedin they were promised all kinds of facilities, but all the promises proved to be lies and, little by little, they were induced to commit crimes. The facts related should be considered only as samples of the activities of the Mojahedin. She said she did not understand how it was possible that members of the organization were allowed to move freely in Switzerland and in the United Nations. The witness stated that she had first been condemned to a life sentence but that she had been released after six and a half years.

91. Another witness, an employee with the Iranian Television, stated that when his wife was 16 years old, she had contacts with the Mojahedin organization. After their engagement she left the organization at his request. When they got married, she received threatening letters from the Mojahedin asking her to return to the organization. In 1982, a woman who used to be a friend of his wife, accompanied by three men, went to their house and violently attacked his wife, who was pregnant at that time. As a consequence their child was born disabled and his wife suffers from speech problems.

92. In addition, on 12 July 1990, the Special Representative heard the testimony in Geneva of other persons who had requested hearings and who gave testimony on this question. Some of them asked that their names be kept confidential.

93. Mr. Gazam Faripoor said that his father was killed in 1981 by terrorist groups despite the fact that he was not politically involved. Thus his family became one of the many families victims of terrorism.

94. Another person stated that he had worked with the Mojahedin organization. As a result of his political activities he had served four years in prison, from 1981 to 1985. He is now working in his father's business, but he intends to resume the medical studies he was forced to interrupt to serve his prison term. His applications for readmission to the University have been rejected. He charged that the groups belonging to the Mojahedin, as well as other political, social and religious groups, were trying to exploit and take advantage of the forthcoming visit by the Special Representative to Iran. Nevertheless, he said that during the first visit, many families victims of terrorism had not been able to speak with the Special Representative. He added that many people, including children, were being held prisoner by the Mojahedin.

95. Another person stated that he had been a member of the Mojahedin organization since 1979, the year when he was recruited. At the beginning, he was assigned simple tasks such as distributing propaganda leaflets. Later, he was given more important political tasks, but never military tasks. He stated that in 1981, the organization decided to step up its terrorist activities with the aim of eliminating those it considered to be key people, mainly officers of the army and the security forces. The chief of his cell was Mohammed Moghaddam, who did take part in terrorist activities. The witness says he had to go into hiding and live in a house with his weapons at the ready. In 1983, his house was razed by the security forces and he received a gunshot wound. He was sentenced to 20 years in prison. He appealed the sentence and the term was reduced to 15 years. In 1987, after four years and three months in prison, he was released under the amnesty decreed that year.

96. Another person stated that his son was killed nine years ago after receiving a number of threats from members of the Mojahedin organization.

97. Another person, a university student, stated that his younger brother had been killed by members of the Mojahedin despite the fact that he was not politically involved. He said that he tried unsuccessfully to speak with the Special Representative during his first visit. He added that many members of the families

of victims of terrorism had not been able to see the Special Representative either at that time.

J. Freedom of religion

98. It has been reported that the Iranian Bible Society was dissolved by the Ministry of Culture and Islamic Guidance in February 1990, and has failed in numerous attempts to get approval to re-open. The Iranian Bible Society has operated legally and openly for the last 10 years. After its dissolution, its files were confiscated and its staff locked out of the premises. In addition, its executive secretary, Mr. Sadegh Sepehri, his wife and his son, have allegedly suffered harassment and threats of imprisonment.

99. It has been reported that, starting with the academic year 1983-1984, religious education was prohibited in all Christian Armenian schools. New books in Farsi prepared by Muslim theologians were reportedly introduced. It has also been said that as of 1985-1986 all Christian Armenian schoolgirls were forced to wear an Islamic veil, irrespective of the fact that they were already wearing scarves covering their hair and neck. It has been also reported that Armenian clergymen, including the Archbishop, have been prohibited from entering school compounds, while Muslim clergymen have free access. It was also alleged that messages to the students on the occasion of religious holidays have to be submitted in Farsi for approval by the authorities two weeks in advance.

100. It was also reported that the Ardak Manoukian Armenian School was forcibly taken from the Armenian community and transformed into a Muslim school.

101. It was alleged that, in April 1990, Guardians of the Islamic Revolution entered the Sipan Cultural and Athletic Club of the Armenian community, closed the club and detained three members of the board and the office clerk. They were reportedly accused of allowing girls to be present in the premises without head scarves. The four detained persons were reportedly sentenced to 74 lashes for violating the Constitution. Allegedly, they were allowed to "purchase" the lashes by paying 70,000 rials each.

K. The situation of the Baha'i community

102. Although the number of Baha'is reported to be imprisoned has declined from 13, as at 28 November 1989, to 9, as at 30 June 1990, it was alleged that the overall policy of discrimination towards the Baha'i community has not changed. The termination of discrimination and persecution is reportedly conditioned on the Baha'is recanting their faith. Some improvements that were brought to the attention of the Special Representative reportedly relate only to the situation of certain individual Baha'is but not to the community as a whole.

103. On 12 July 1990, the Special Representative received a person who requested to give testimony with regard to the situation of the Baha'is, but asked that his name be kept confidential. He said that he converted to the Baha'i faith in 1973. He

stated that the Baha'is mix religion with politics. He was forced to attend all the meetings, which drained his physical and psychological energy. In 1988, he converted to the Muslim faith. He stated that nowadays, the Baha'is were free to develop their activities with the consent of the Government. Indeed, he said, it was better to say you were a Baha'i to get work or get a passport more promptly. In his view, there was no discrimination against Baha'is in education, whether in school or in the university, or in medical or hospital care.

104. Three other persons asked to speak with the Special Representative on 12 July 1990 and requested that their names be kept confidential. They stated that as a result of the Special Representative's first visit to the Islamic Republic of Iran, the Government had released several followers of the Baha'i faith who were being detained, had lifted the ban on the travelling in the country without permission, had facilitated their access to farm property and established special preferences enabling them to obtain passports. According to their reports, one had only to say he/she belonged to the Baha'i to get a passport immediately. The attitude towards the Baha'is in the communication media had also changed for the better. However, they stated that some Baha'is still maintained a posture of confrontation and were trying to create tensions.

105. Written information on the situation of the Baha'is has also been received by the Special Representative, accompanied in many instances by official Iranian documents. The information received has been divided into the following categories:

1. Dismissal of government employees

106. In a letter dated 22 February 1990, addressed to Izzatu'llah Nazari, a retired employee of the Baha'i faith, the National Iranian Oil Company stated: "As you have already been informed, in accordance with Civil Court verdict No. h.b. 1236/7 of 15 Ordibehesht 1362 (5 May 1983) and because you belong to the misguided Baha'i sect, you have been permanently disqualified from exercising Government functions and from serving in any Government-affiliated organization".

107. In a letter dated 13 January 1990, the Department of Social Security stated that, in accordance with the decision of the Town Committee of the Manpower Section of the Ministry of Health, Manuchihr Shirvani and Ali Akbar Nawruziyan had been sentenced to permanent dismissal from their posts because they belonged to the misguided Baha'i sect.

108. On 10 December 1989, the Department of Social Security informed the Office of Social Services for the Employees of the Ministry of Labour that, in accordance with the relevant decision, Dhabihuillah Fada'i had been permanently dismissed from his post because of his membership in the misguided Baha'i sect and that payment of his pension continued to be suspended on the basis of verdict No. 28827/6 of 14 September 1983.

109. In a letter dated 25 October 1989, Primary Section of the Administrative Court handed down decision No. 1002 upholding an earlier decision concerning Mrs. Izzat Ha'i Najafabadi who was dismissed from the Ministry of Education and deprived of her retirement because of being a Baha'i. The charges against her were

based on Section 2 of Act No. 19 containing the Regulations on Administrative Offences and the decision was declared final, since the plaintiff did not submit any grounds or evidence to change it.

110. In a letter dated 30 September 1989 from the Office for the Investigation of Administrative Offences of the Ministry of Agriculture to Mr. Payduilla'h Ali-Tabar, who had been dismissed from his post, it was stated that the fact that he belonged to the misguided Baha'i sect had been proved on the basis of his confession and statement of 7 April 1982; that the decision relating to his dismissal from his post was therefore valid; and that it was legally unnecessary to submit the case for review.

111. On 12 September 1989, a judge of the Administrative Court handed down a ruling in connection with the consideration of a complaint against the Ministry of Health, stating that Mr. Hushang Gulistani's considered himself a member of the misguided Baha'i sect, that an administrative decision of 21 March 1981 had ordered his dismissal from his post and the suspension of his pension payments and that, as that decision had been based on the law, it could not be changed.

112. On 19 February 1989, verdict No. 855 of the Central Council for the Investigation of Administrative Offences described the case in question in the following terms: Mrs. Qudsi Ridvani was registered as a member of the Baha'i sect and acknowledged that she belonged to a Baha'i family and had given that group financial assistance. The Court found her guilty and requested her to return the funds she had sent abroad; and, since the charges against her had been proved, she was sentenced to permanent dismissal from her post.

113. On 6 November 1989, Section 7 of the Administrative Court handed down the following decision: Mrs. Surayya Samimi "admits to having been born in a Baha'i family, but has not made any statement recanting her faith. The Tobacco Products Company has sent her a reply number 42749/24 Mordad 1366 (15 August 1987), stating that she is accused of membership in the misguided Baha'i sect and through the verdict of the Civil Committees and the review of the Reforming Councils, she has been sentenced to permanent dismissal from work and her salary has been cut off. Considering the above ... as well as the fact that her being a Baha'i is confirmed, her objection is overruled and rejected. This is a final verdict and may not be reconsidered in this court".

2. Refusal of withdrawal of work permits

114. In a letter dated 31 October 1989, the National Veterinary Organization informed the Director of the Inspection Group of the Ministry of Agriculture that it was not possible to give a permit to Jamshid Farsi because, in his request of 2 November 1988, he had acknowledged that he was a member of the misguided Baha'i sect; and that sect was an agent of foreign interests and Governments.

115. A letter from the Central Council of Trades of Simnan, dated 20 January 1990, informed a Baha'i, Mr. Afrasiyab Subhani, that his work permit had not been approved and that, as from 21 January 1990, he would have to close his business and

return the original permit to the Council. It also stated that, if the order was not complied with, he would be treated in accordance with Act No. 72 of the Union Regulations.

116. In a letter dated 4 May 1989, the Trade Union for Repairs of House Equipment in Gurgan informed Mr. Massud Masudi that, following the investigation which had been carried out confirming that he belonged to the Baha'i sect, the Trade Union was unable to give him a work permit and he would therefore have to close his business.

3. Suspension of pension or salary payments

117. On 11 March 1989, the Bank of the People gave the Secretariat of the Banks the following information: "With regard to letter No. 3342 dated 16 February 1982, Mrs. Bihidukht Tibiyani has confessed that she belongs to the Baha'i sect and the payment of her retirement pension has therefore been cut off".

118. On 23 July 1989, the local Health Department in Khurasan sent a letter to the Office of Personnel of the Ministry of Health indicating that Mr. Dhabihullah Dhabini-Muqaddam was a member of the misguided Baha'i sect and that the payment of his salary had therefore been discontinued.

4. Prison sentence

119. In a letter dated 12 March 1989, the Islamic Revolutionary Court of Gombad referred to the case of Mrs. Bihidukht Tibiyani belonging to the Baha'i faith in the following terms: "The case concerning the accusation that you take part in Baha'i activities has been considered by the Islamic Revolutionary Court of Gombad and, in accordance with verdict No. 1684-7 of 26 February 1989, you have been sentenced to one year's imprisonment; the verdict was handed down in your absence since you did not appear before the court".

5. Invalidation of ration card

120. On 27 September 1989, the Islamic Council on Supervision and Distribution of Goods of the Department of Commerce issued the following notice: "We hereby respectfully inform you that the ration card of Mrs. Ishrat Shahriyari has been confiscated and invalidated because she is a Baha'i".

6. Denial of education

121. On 30 August 1989, a secondary school in Tankabun wrote a letter to the Department of Education regarding Mr. Mahmud Mukhta'ri, a father wishing to enrol his son: "According to his clear statement, they are members of the Baha'i sect. This school is exempted from having to accept the student in question in accordance with the rules of the Islamic religion".

122. On 9 November 1988, a committee to investigate cases of expelled students informed Miss Farzanih Khusravi Hamadani by letter that her case had been considered and that, since she had been banned from continuing her education because she belonged to the Baha'i sect, she would have to publish three announcements in major newspapers recanting her Baha'i faith and that, if she did not do so, her situation would remain unchanged.

123. In another case at the University of Allamih Tabatabai, which was considered and decided on 2 October 1989, Miss Farzanih Khusravi Hamadani was prohibited from continuing her studies because of being a Baha'i.

7. Baha'is who have been ordered to return salaries received as public employees

124. Hushang Tabish, an employee who had worked for the Sadirat Bank was arrested because he refused to return the salary he had received. After being in prison for some time, he agreed to pay monthly amounts of 3,000 tumans as from October 1988. When he had made seven monthly payments, he decided to stop them. Reportedly the prosecutor is currently dealing with his case.

125. Mrs. Tal'at Mazlumi, a former employee of the Department of Education was ordered to return the salary that she had received while she was in Government service. The order came from the Prosecutor's Office of Section 1 at Evin prison. The prosecutor's last order that the former employee should provide a guarantee of payment was dated 28 January 1990.

126. Col. Muhtashimi, a retired army officer received a summons to appear before the Prosecutor's Office of Section 1 at Evin on 18 February 1990. A piece of land that belonged to him was confiscated as compensation for the pay he had received during his service in the army.

127. Isfandiyar Ghadanfari, Nadir Ghadanfari and Nadir Vahid have been summoned repeatedly. They were taken to Section 13 at Evin prison because they have not provided a guarantee that they would pay back the salaries they received during the time they were in Government service.

128. Mr. Manuchihr Mishn Chi was reported to be held in Evin prison because he would not or could not pay back the salary he had received.

129. Mr. Yusuf Ahmada'i, whose case is with Section 4 at Evin, agreed to provide a guarantee that he would pay back the salary he had received. He has already made two payments.

130. Vahid Sabuhiyan, a former army officer who received an order for the repayment of 153,000 tumans agreed to pay back that amount, but later decided not to do so and to await official reaction.

131. Mrs. Faridih Ahmadiyyih, a former employee of the Tijarat Bank received a summons concerning the repayment of salaries from the prosecutor of Section 12 at Evin, dated 5 August 1989.

8. Confiscation of property

132. It has been reported that Mr. Enayatollah Eshraghi, Mrs. Ezzat Eshraghi and Miss Roya Eshraghi, members of the Baha'i community of Shiraz, were executed in June 1983. The family home of Mr. Enayatollah Eshraghi, at 105 Palestine Street, in Shiraz, was confiscated by the Government and will reportedly be auctioned in the near future.

IV. REPORT ON THE SECOND VISIT TO THE ISLAMIC REPUBLIC OF IRAN

A. Introduction

133. The second visit to the Islamic Republic of Iran was made from 9 to 15 October 1990. The exchange of letters and notes concerning this visit has been referred to in paragraphs 22 to 26. The Special Representative was accompanied by Mr. Georg Mautner-Markhof, Chief of the Special Procedures Section of the Centre for Human Rights, Mr. Miguel de la Lama, Human Rights Officer, Miss Carmen Cuevas, secretary and Mr. Mohammed Tammami, a United Nations interpreter. The Special Representative acknowledges and expresses his appreciation to those members of the Secretariat for their efficiency and co-operation. He also wishes to mention the co-operation of Mr. Per Janvid, Resident Representative of the United Nations Development Programme (UNDP), who, as he had done on the first visit, spared no effort to assist the Special Representative and his team members in accomplishing their task and in achieving their objectives.

134. By a letter dated 17 September 1990, the Special Representative had requested the Government to arrange for the following appointments with official or religious personalities: the Ministers for Foreign Affairs, Interior, and Culture and Islamic Guidance; the Head of the Judiciary, the President of the Supreme Court of Justice, Ayatollah Montazeri and Ayatollah Ja'afari, the Special Prosecutor for Drug Trafficking, and a senior president of a revolutionary court. By a letter dated 5 October 1990, the Special Representative added the Minister of Intelligence to the list of requested appointments.

135. The Special Representative also requested the Government, by a letter of 17 September 1990, to arrange a visit to Evin prison and pointed out that he would ask to visit one or two other prisons in the Tehran area, if considered necessary. He further indicated that it would be his intention to conduct hearings, in private, with prisoners of his choice, the names of whom would be communicated in due course. The Special Representative also stated that he would appreciate being given the opportunity to be present at trial proceedings of a revolutionary court concerning an offence for which capital punishment may be pronounced.

136. In the first meeting with the Deputy Minister for Foreign Affairs, Mr. Manouchehr Mottaki, the Special Representative was handed a programme based on his aforementioned requests. In the course of the visit, the programme underwent a number of changes, some of which were requested by the Special Representative, who asked, in particular, that Saturday, 13 October 1990 be entirely devoted to the hearing of prisoners. The meeting foreseen with Ayatollah Montazeri, at the

latter's request, had to be postponed from Wesdnesday, 10 October 1990 to Friday, 12 October 1990 and was eventually cancelled by the Ayatollah. The Special Representative, therefore, requested, in line with the written indication given in his letter of 17 September 1990, that he be permitted to visit Gohardasht prison in the afternoon of 10 October 1990. However, the Ministry of Foreign Affairs informed the Special Representative that it was not possible to comply with the request. The Special Representative further asked for assistance of the authorities in enabling him to meet Ayatollah Seyed Abolfazl Musavi Zanjani. It did not prove possible to have this visit arranged through official channels. The Special Representative was, however, able to make arrangements for a meeting with the Ayatollah directly and met him on 9 October 1990.

137. The programme of official meetings that took place during the visit is reproduced in appendix III.

138. On 9 October, the Special Representative and his team members co-ordinated their own programme of work with official proposals and incorporated the activities they would conduct without official contacts or assistance. This programme was considered chiefly with a view to allotting time for the examination of specific cases, mainly of prisoners and for interviews with a number of personalities in Iranian public life and individuals who, through contacts in Geneva, seemed willing to provide information on their experiences and observations concerning human rights.

B. Meeting with representatives of the executive and judicial branches of government

139. The following paragraphs summarize the highlights of the interviews conducted by the Special Representative with governmental authorities. They are in chronological order.

1. Meeting with the Deputy Minister for Foreign Affairs

140. The Deputy Foreign Minister, Mr. M. Mottaki, thanked the United Nations mission for coming and said that the first visit had opened a new chapter in the relations between the Islamic Republic of Iran and the United Nations. He pointed to the expanded role of the United Nations in world affairs and said that the end of the cold war would open a new chapter in international relations. Disarmament and human rights will be the two basic issues of the new age. The Islamic Republic of Iran is strengthening its spirit of co-operation with all nations and with the United Nations. The search for negotiated solutions to all international problems is another feature of the new age. The issue of human rights figures prominently among the concerns and goals of the Islamic Republic of Iran.

141. Mr. Mottaki said that the Islamic Declaration of Human Rights had been adopted by experts at the Islamic Conference and that the Declaration was taken up and adopted at the meeting of Ministers of the members countries of the Islamic Conference held at Cairo.

142. Mr. Mottaki said that the Government of the Islamic Republic of Iran had examined closely the recommendations of the Special Representative. The Iranian Government was now in a position to refute the false allegations made by its political enemies. A Human Rights Department has been established in the Ministry of Foreign Affairs. Two seminars have been held in Iran - one locally, dealing with a comparison of human rights in the West and in Islam, and another dealing with Islam and Christianity from a human rights perspective. Preparations are under way for a third seminar in co-operation with the Centre for Human Rights slated for late January or early February 1991.

143. Mr. Mottaki considered eight categories of recommendations issued by the Special Representative and said that they have all been considered by the Government. Substantial action has been taken on each recommendation. A letter addressed to the Special Representative summarizes the measures taken (see para. 12).

144. Mr. Mottaki referred to a pending matter: visits to prisons by the International Committee of the Red Cross (ICRC). The Red Cross has already been notified that the Government is prepared to allow visits by ICRC. The Special Representative could visit any prison he liked.

145. The Islamic Republic of Iran abides by the teachings of Islam and wishes to co-operate with the international community, but this does not mean that it is prepared to disregard Islamic principles. The United Nations should distinguish between those States which systematically violate human rights and whose conduct derives from high-level policy, and those countries which occasionally commit a few violations.

146. The Special Representative expressed the hope that the discussions with ICRC with a view to reaching a concrete agreement on visiting prisons could be concluded very soon. Mr. Mottaki replied that his Government saw no problem whatsoever in reaching an agreement with ICRC and hoped that visits to the prisons would begin very shortly.

147. The Special Representative referred to two memoranda submitted recently and reiterated the importance of receiving official replies. Mr. Mottaki announced that the Special Representative would begin to receive specific replies in the course of his visit.

148. The Special Representative gave Mr. Mottaki a list of 202 prisoners in connection with whose whereabouts, arrest or possible sentencing (see appendix II), information had been requested and submitted the names of 26 prisoners he wished to visit. This list of 26, reproduced in appendix IV of this report, contained names of persons about whom the Special Representative had received information during or after his first visit to Iran.

149. The interview concluded with an official statement by the Government that it would co-operate fully with the United Nations in general and the Commission on Human Rights in particular.

2. Interview with the Minister of Intelligence

150. On Wednesday, 10 October, at 9.30 a.m., Hojatolislam Fallahian, the Minister of Intelligence, was interviewed. The Special Representative requested clarification of certain matters which had arisen in the course of the investigations. In particular, he asked questions concerning the following: the role played by information or intelligence officers and agents in the trial of prisoners, chiefly in cases submitted to the revolutionary courts; the specific role of intelligence agents who worked with the prosecution and, particularly, their participation in interrogations; the hierarchical relationship between intelligence officiers, Komitehs and Pasdaran (Revolutionary Guards); and the degree to which intelligence agents could act on their own initiative without express orders from their immediate superiors.

151. The Minister spoke of plots against the Iranian nation and then referred to observations in the Special Representative's reports, which, in his view, did not do justice to Iran. With regard to the activities of his Ministry, he recounted many incidents of past years and referred to the hostile attitude of the foreign media. He said that the function of his Ministry is to prevent and bring to light cases of espionage and to preserve the culture and integrity of the Iranian nation. According to the Constitution, the people's rights must be respected and intelligence agents must act within the law both in making arrests and during trials. He then referred to bands of smugglers who attack private homes and mentioned cases of persons who had recently been killed by smugglers.

152. The Minister went on to say that the Constitution establishes three branches: legislative, judicial and executive. In the executive branch, the revolutionary Komitehs and the Pasdaran maintain public order and security and are accountable directly to the President of the Republic; however, they perform their duties in respect of citizens' rights under the supervision of judges. The Pasdaran are under the Ministry of the Interior for matters of public order, under the Ministry of Defence for military matters. The Komitehs are under the Ministry of the Interior, and the intelligence officers, under the Ministry of Intelligence. Co-ordination takes place at the highest level, that of the President of the Republic.

153. Commenting on the role of intelligence officers at trials, he said that it was not true that judges consulted them during the trials. In many cases, the judges do not accept testimony by intelligence officers and deny them permission to arrest suspicious persons. Indeed, while intelligence officers did participate in interrogations, they do so under the supervision of the judges. It is not true that they use any means, including violence and torture, to obtain confessions.

154. Intelligence officers take orders; they are not independent agents. In certain cases, they may take initiatives, for example, when they see someone trying to enter the country with a false passport or someone planting a bomb. In such cases they can arrest the culprits. However, they must so advise the judge within 24 hours and he must decide whether or not there are legal grounds for the arrest. There is a department which oversees the activities of these agents and is responsible for punishing them. In some cases, they are referred to an

administrative tribunal and, in very serious cases, to a military tribunal. Many agents have been dismissed or sentenced to prison terms.

155. The Minister reported that in addition to the Pasdaran, the Islamic Revolutionary Committees, the officials of his Ministry, the police and the gendarmerie were responsible for preventing and investigating ordinary crimes like homicide and robbery and ensuring the safety of the citizenry. Both police forces were under the supervision of the Ministry of the Interior. Lastly, the Minister of Intelligence said that, in his view, the Special Representative should focus the attention of world public opinion on the acts of aggression committed against the Iranian nation and adopt a clear stance denouncing and condemning acts perpetrated by terrorist organizations. He added that the family and relatives of the martyrs and victims of terrorism shared that feeling.

156. Responding to a question from the Special Representative, the Minister said that there was no prison attached to the premises of the Ministry of Intelligence and that all detainees were subject to the authority of the Prison Organization. He then invited the Special Representative to visit the building complex where the Ministry has its offices so that he could make sure that there was no prison attached to or included in the building complex where the Ministry is located.

3. Interview with the Special Prosecutor for Narcotic Drugs

157. The Special Representative submitted the following questions to the Special Prosecutor, Hojatolislam Zargar: (a) How many drug traffickers have been executed in 1990? (b) How many are currently tried? (c) How many of those being tried may be condemned to death? (d) How many of those condemned to death have seen their sentence commuted? (e) How many executions in public or mass executions have taken place during the last few months? In reply to these questions, the Prosecutor stated the following:

158. He said that the number of traffickers who have been arrested since the first visit, including traffickers and consumers, comes to of 9,201, 8,898 of whom are addicts and have been sent to rehabilitation centres. Rehabilitation centres are still inadequate and, for that reason, the Government has requested assistance from international organizations. The remaining 303 are traffickers. Not all of the 303 traffickers can be given the death penalty; some will be sentenced to prison. Of the groups previously sentenced to death, six have had their sentences commuted.

159. The Special Prosecutor said that the 1990 capital punishment figures are lower. In 1989, 4,113 persons were pardoned. Of those, 2,259 were released and 1,854 had their sentences commuted. Many obtained permission to live at home for three days and some were already enjoying this benefit for the sixth time.

160. He also stated that there had been no public executions since the first visit. At times 15 or 20 persons were executed in the prison courtyard. The Special Representative emphasized two points: the need to guarantee due process of law to traffickers and to reduce significantly the number of death sentences pursuant to the International Covenant on Civil and Political Rights.

161. The Special Prosecutor referred to opium that is being processed into codeine at laboratories under his supervision. The codeine will be transferred to the Ministry of Health. A total of 1,320 kilos of heroin and 9,090 kilos of opium were confiscated in the first six months of 1990. Those drugs were largely intended for European countries.

162. The Special Prosecutor said that he would obtain an exact figure showing the number of persons executed in 1990 for the Special Representative through the Ministry of Foreign Affairs because he did not have it available at that time. The Special Representative asked whether consideration had been given to transferring jurisdiction over such crimes from the revolutionary courts to the ordinary courts, and the answer was no.

163. At the suggestion of the Special Prosecutor the Special Representative briefly met two detainees convicted on drug trafficking charges who were working on the premises. One of them, who had admitted carrying 20 kg of opium from Kerman to Tehran, had been convicted to 18 years of imprisonment. The trial before the revolutionary court took place two years after his arrest. His sentence was later commuted to five years. The other prisoner had admitted carrying 7 kg of opium and was first convicted to a penalty of 1 million rials. The Special Prosecutor, however, had protested against the sentence and one year thereafter, he was sentenced anew to 16 years of imprisonment. In 1987, the sentence was commuted to 15 years. Both were tried before revolutionary courts without the assistance of a lawyer. One of them stated that the interrogators had beaten him during the period of investigation in order to obtain his confession. Both prisoners stated that their condition had improved, since they could now work on the premises of the Special Prosecutor. Once a month they were granted leave, usually for a period of three days.

4. Interview with the Commission on article 10 of the Constitution

164. The Chairman of the Commission, Deputy Asgharzadeh, explained that the Commission on article 10 is composed of representatives from the three branches of government. The purpose of the Commission is to apply the constitutional principle of the people's right to form associations in general and political parties in particular. The Commission is made up of two members of Parliament, two from the judicial branch and one from the executive branch. The Secretary of the Commission is independent and the Minister of the Interior carries out the decisions of the Commission.

165. The procedure is as follows: whenever a certain number of citizens wish to form a political party, they register the members' names and the leaders submit their personal documents and a charter of principles and objectives. The Commission considers such requests at its weekly meetings. The applicants' background is investigated, on the basis of reports from the security and judicial authorities.

166. The Commission has four divisions: (a) The religious division, which places restrictions, for example, on autonomous groups or sects, which do not have the

right to form associations; (b) The trade union and crafts division; (c) The division that deals with political groups wishing to function as political parties which are subject to restrictions relating to public security and co-operation with foreign political parties; and (d) The division that handles associations of groups engaged in social activities - i.e., cultural or technical activities. Requests are considered in the order that they are received and authorization is granted to associations that are not political more promptly than to political parties. In the past year and a half, 20 to 22 associations were approved. Seven requests from minorities (Armenians), and a request from a political group in Tehran and another in the province of Khusestan are being considered.

167. Replying to a question from the Special Representative, the Chairman of the Commission said that the request from the Association for the Defence of the Freedom and Sovereignty of the Iranian Nation is under review. As long as some leaders of this group are having security problems, this association cannot be authorized. Some members of this group are on trial and in prison on charges of espionage.

168. The Special Representative also inquired about the reasons for the dissolution of the Bible Society. The answer was that it had been asked to appear before the Commission several times and bring its activities into compliance with the law. The Society also required authorization from the Ministry of Culture. Since it failed to submit that authorization, its activities were suspended. The Special Representative learned from a well-informed source that the Ministry of Culture and Islamic Guidance had refused to grant the authorization.

169. The Special Representative explained his ideas on the responsibility of individuals and societies and suggested that the doctrine which clearly distinguishes between the responsibility of individuals and the responsibility of associations should be accepted and applied. In his view, he continued, Iranian law projected onto associations what was exclusively the responsibility of the individual members. He was told in reply that this theory would presumably be taken into account when Parliament reconsidered the law on political parties.

170. The Secretary said that the Commission has had difficulty in applying the law in force and that revisions have been considered and proposed for submission to Parliament.

171. A discussion ensued on whether activities for the protection of human rights are considered political. The answer was that this topic has been debated time and again. The defence of human rights is in the interest of the people; however, certain groups claim to be defending human rights in order to mask political activities - at times, political activities designed to destabilize the Government.

5. Interview with the Deputy Minister of the Interior

172. Deputy Minister Atrian-Far said that it was natural that the Special Representative should have identified a number of ambiguous situations on his first visit; he hoped that any such situations would be cleared up during the second visit. Some ambiguities concerned the revolutionary courts, while others concerned political parties.

173. Concerning the unification of the police, Pasdaran, Komitehs, Gendarmerie and judicial police, their co-ordination had been entrusted to the President of the Republic with a view to improving their functioning and thereby guaranteeing citizens' rights. A bill for the integration of those security and protection forces had been approved. A thousand hours of work with experts had been devoted to the issue and the act was being implemented.

174. The Ministry of the Interior must provide an organizational chart and job descriptions in order to implement the act within a year. Two months had gone by and the integration of all police forces would be complete within 10 months. Their integration would considerably enhance efficiency.

175. The Special Representative asked about the press. The Deputy Minister told him that the Ministry of Culture and Islamic Guidance would give him more information on that subject. He then gave some details. Anyone that was qualified to do so could publish ideas or news with his own resources and means. The Government considered it its duty to provide facilities to people who wished to engage in news activities and it therefore gave permission for the import of machinery and paper. The Government welcomed anyone who wished to engage in journalism, and also accepted criticism if it was presented "earnestly and truthfully". Newspapers and magazines contained abundant criticism of the Government. The same approach was taken with political parties. The Government could not renounce that principle. Everyone must adhere to one basic, inviolable principle, namely, respect for the Constitution. The press and political parties must accept and adhere to the Constitution. That imposed certain responsibilities on writers. The Ministry of Culture and Islamic Guidance was responsible for applying the Constitution and therefore monitored publications and associations. It was lenient with them, however, even when there was cause for severity.

176. No newspaper sent its articles for prior review by the authorities, but if an article was published containing erroneous or untrue information or if someone was insulted, the newspaper must give equal space to a correction. Otherwise, the complainant could take legal action.

177. In the past 10 years, over 50,000 books on different topics had been published. The organization which had oversight of books monitored publishers' activities. It also studied books before they were published and if it found them contrary to the Constitution or liable to corrupt or offend public dignity, it could ask the authors to correct the inappropriate or detrimental parts. The problem was almost always solved by negotiation and the authors were satisfied with the outcome.

6. Interview with the Deputy Minister of Culture and Islamic Guidance

178. Deputy Minister Aminzadeh said that he was sceptical about the activities of international organizations and that it would be a long time before Iran solved its international problems.

179. The Ministry of Culture and Islamic Guidance was the product of the merger of two ministries, the Ministry of Art and Culture and the Ministry of Information and Tourism; the merger had been designed to enhance their functioning. The Ministry of Culture and Islamic Guidance worked with cinema, theatre, the performing arts, music, publications, books, art (painting, drawing, etc.), press, radio, television, printing, tourism, and pilgrimages to holy places. Radio and television were under the joint supervision of the three branches of Government.

180. The Government had never been opposed to foreign films and television but had put a stop to propaganda that caused moral corruption. The same was true of music: the Government had never been opposed to music but had eliminated certain kinds of music which encouraged prostitution and corruption. The same had happened with other forms of artistic expression such as painting. Iranian films had won international prizes. Artists were aware that limits had been drawn to prevent corruption and that they must not overstep those limits.

181. Before the Revolution, many books had been banned. After the Revolution, the number of books published had increased enormously. There were sometimes arguments about permission to publish a book. When a book contributed to prostitution and corruption, its publication was not permitted.

182. The press enjoyed protection and freedom, but anything that was contrary to Islam and public order was inadmissible. The press promoted Islamic values, opposed colonialism, promoted morality and upheld the policy of "neither East nor West". The committee that granted permits for the founding of newspapers was made up of representatives of the three branches of Government, the universities, publishers and the Ministry of Culture and Islamic Guidance. There were 15 daily newspapers and 300 monthly, weekly or bimonthly magazines.

183. The Special Representative asked what action the Ministry took with regard to the day-to-day activities of newspapers. He was told that if a newspaper insulted Islam, the Leader or the Government, it could be penalized by cancellation of its operating permit.

184. The Special Representative referred to the distribution of paper. The Deputy Minister replied that his Ministry distributed paper. Any authorized newspaper was entitled to the paper it needed. There were limitations on the allocation of paper. For instance, Kayhan and Ettelaat were daily papers with the potential to increase their circulation but there were limits on the amount of paper the Government could distribute at a relatively low price. No limitations had been placed on the amount of paper that the opposition press could receive.

185. The Special Representative asked about the conditions for distributing paper for books. Paper was supplied to printers or authors. Books needed authorization before they could be published. There had been criticisms when the publication of some books had been allowed, but the only criterion for authorization had been moral, never political.

186. The official interview over, the Special Representative talked to working Iranian journalists in the same building.

7. Interview with the President of the Supreme Court of Justice

187. The President of the Supreme Court of Justice, Ayatollah Moghtadaei, said that according to Islam, judges were answerable before God and sat among the prophets and that the place of trial was the place of God. Under Iranian law, a defence lawyer was necessary and mandatory and both the accused and the lawyer were given certain facilities. Sentences could be brought to the Supreme Court on appeal or for review. When the accused had not had a lawyer, the Supreme Court revoked the sentence. Parliament had just adopted an act on procedures under which, once the case was concluded, it was considered res judicata. The act enabled the President of the Supreme Court to consider the case and decide whether it needed to be reviewed.

188. Under the Islamic judicial system, all individuals were equal. Only recently, at an annual nation-wide seminar, the President of the Republic had expressed satisfaction that the judiciary judged law-breakers strictly and equally. The Islamic legal order had special features with regard to respect for human rights. Iran was prepared to exchange views on those matters, to pass on its experience to others and to learn from the experience of others.

189. Under the Islamic legal order, the purpose of bringing a person to trial was not punishment but rehabilitation. If the prisoner showed that he was sorry and could be rehabilitated, he was included in the list of those eligible for amnesty, even if much of his sentence remained to be served. Amnesty was granted to groups and individuals. Only rarely did prisoners remain in prison for the full term of their sentence.

190. No one was ever arrested because he adopted a different ideological line from the Government. Baha'is were not arrested because they were Baha'is, but for specific offences. The same was true of political prisoners: if they were arrested and executed it was because they had been involved in acts of violence. If the detainee or accused repented, he could be amnestied, even if he had committed horrendous crimes.

191. Another question related to the campaign against drugs. The judiciary was determined to take vigorous action in that regard. Drugs were a problem in the country. Cases came to the Supreme Court, where they were reviewed. A sentence could be applied only with the approval of the Supreme Court.

192. The Special Representative asked about cases in which a number of years elapsed between the guilty verdict and the actual sentencing. The President replied that that sometimes happened because further investigations were conducted. On other occasions, the prisoner could not be informed of the sentence because the case was awaiting review. The sentence was made known only when the Court had approved it. The prisoner could appeal once he was informed of his sentence. Prisoners sometimes did not know that their case had been passed on to the Supreme Court, which was why they complained and felt that an excessive period of time was elapsing between the guilty verdict and the sentence.

8. Interview with the Political Deputy to the Head of the Judiciary

193. The Political Deputy, Mr. Badamchian, said that the Freedom Movement and the Association for the Defence of Freedom and the Sovereignty of the Iranian Nation had published their manifestos freely during the war, even when these dealt with sensitive issues that affected national security. The Freedom Movement had not been authorized, but it had been active recently. Mr. Bazargan and other members were at liberty; other members of the Freedom Movement had been arrested on serious charges.

194. The Association for the Defence of Freedom and the Sovereignty of the Iranian Nation had been operating without authorization. It had declared its existence without authorization and had published illegal declarations; many of its members were actively involved in politics. Some of its members were being tried on serious charges. The Association had not been set up to defend human rights but as a cover for illegal political activities.

195. The Special Representative said that, according to the information he had been given, the two groups had submitted applications in due form but had been denied authorization. Their property had been confiscated or frozen, since the authorities had occupied them, and their documents had been seized. The Freedom Movement had existed prior to the Revolution and had simply been required to adapt to the new legal statute. The Movement had filed an application and documents with the Ministry of the Interior and since the Ministry had not raised any objection within three months, the Movement had been tacitly authorized under the law in force.

196. The Political Deputy replied that the Movement had engaged in sabotage and had had contacts with the country's enemies abroad. While it was true that it had been recognized before the promulgation of the new act on political parties and after it had filed an application with the Ministry, the application had not met the necessary legal requirements and the Movement could not be authorized. The members of the Movement had not been acting in good faith. The act which said that if no objection was raised within three months, the applicant organization was automatically recognized did not apply in that case.

9. Interview with the Head of the Judiciary

197. The Head of the Judiciary, Ayatollah Yazdi, said that the main source of Iranian law was the Holy Scriptures, which were intended for mankind's salvation. The Koran said: "I respect and honour mankind".

198. The Special Representative drew the following situations to the attention of the Head of the Judiciary: (a) public trials were impossible in prisons; (b) some people who had been condemned to death had not had lawyers, and a person accused of spying, for which he could be sentenced to death, had been tried two years previously and still did not know his sentence; (c) the question of the applicability or the repeal of article 11/2 of the Administrative Regulations governing the Revolutionary Courts and Public Prosecutor's Offices of 1979.

199. The Head of the Judiciary said that there was a principle whereby the interests of society must prevail over the interests of the individual. The international community paid little attention to that principle because the issue of human rights had been politicized. Such politicization undermined the enjoyment of those rights. In eight years of war, the international community had never concerned itself with the crimes perpetrated against the Iranian people. He then referred to recent events in Palestine and to the Gulf crisis.

200. The Head of the Judiciary went on to say that no legal system protected human rights as thoroughly as Islamic law. The best evidence of that was the existence of groups which were opposed to Islamic principles, expressed their views publicly and were left in peace as long as they did not engage in armed action.

201. Concerning the openness of trials, he said that court sessions were held at the Palace of Justice in the city centre and that no less than 20 trials were held each day, all of them public. When citizens were interested in a case, larger premises were used. At Evin prison there were restrictions on access, but the principle of public trials was in force. In any case, the judge could prohibit access for reasons of public order.

202. Everyone was entitled to defence counsel and when the accused could not obtain it, the court provided it. Since that was the accused's right, if the accused said that he considered himself better equipped than the lawyer to conduct his defence, he was not forced to accept the lawyer. The Special Representative said he had observed that, in practice, accused persons tried by the revolutionary courts did not have a lawyer.

203. The Head of the Judiciary said that in the case of ordinary offences, when the parties reached a compromise, the proceedings ended. In cases of espionage, after the accused had been arrested and the accusation substantiated, the investigation and gathering of evidence began. Evidence was weighed by the judge. If it was deemed adequate, sentence was passed.

204. Crimes could be committed by individuals or groups. In the latter case, the accused could not be informed of the charges against them during the investigation stage because that would prejudice the outcome of the investigation. Concerning the applicability of article 11, he said that decisions of the revolutionary courts were not final: the accused could appeal them or request that they be reconsidered and the Supreme Court could review them.

10. Interview with the Judicial Deputy to the Head of the Judiciary

205. The Judicial Deputy, Dr. Mehrpoor, referred to the Islamic Declaration of Human Rights and to the Special Representative's previous report. He said that comparative study of the Islamic system and the international system had begun with particular reference to human dignity and the right to life, drawing comparisons between Islam and Christianity. Concerning the need for defence counsel, he said that the Constitution provided that a lawyer must assist the accused in court. The Head of the Judiciary had made a statement on that point. Concerning the crediting

of the period of pre-trial detention to the term of imprisonment imposed by the sentence, he said that under a bill currently being drafted detention prior to the date of the verdict would have to be credited to the term of punitive detention. He added that many people had been amnestied, and provided a list which is reproduced in appendix VII. He said that the rules of Islamic law could not be repealed: the penalty of flogging, for instance, was provided for in Islamic law. However, it was being imposed less and less frequently, for it was usually replaced by a fine or imprisonment. The Special Representative said he hoped that flogging would be replaced by fines in all cases.

206. Concerning the revolutionary courts, the Judicial Deputy said that the sentences passed down by those courts could be appealed, or reviewed by the Supreme Court of Justice. The act allowing for the possibility of appeal or review had been promulgated two years previously. Article 11/2 of the Administrative Regulations governing the Revolutionary Courts and Public Prosecutor's Offices of 1979, which provides that "judgements of the revolutionary courts shall be final and no revision be made thereon", had been tacitly repealed because the 1988 act on appeal procedures took precedence, particularly its article 5 which stated: "With regard to the decisions of penal 1, legal 1, military 1, special civil and revolutionary courts which have been reversed by the Supreme Court, the authority for revising and passing a new judgement is a court equal to the court which had passed the first judgement".

11. Interview with the Minister for Foreign Affairs

207. On Monday, 15 October, the last day of his visit, the Special Representative was received by the Minister for Foreign Affairs, Mr. Ali Akbar Velayati. The Special Representative summarized the main points of his visit and thanked the Iranian Government for its co-operation. The Minister said that it was his Government's policy to continue its co-operation with the Special Representative. He said he hoped that by now, at the end of his second visit to the country, the Special Representative was able to see that the allegations of human rights violations were false and that the situation of human rights in the Islamic Republic of Iran was comparatively better than in other countries of the so-called "third world". The Minister expressed surprise that the Commission on Human Rights should have decided to examine the situation of human rights in his country and not the situation in other countries where respect for those rights was known to be much worse. He said he hoped that such discriminatory treatment was not politically motivated or designed to put pressure on his country. He also hoped that the Special Representative had not been pressured by other Powers or groups.

208. The Special Representative replied that he had not been pressured by any Government - neither the Government of the Islamic Republic of Iran nor other Governments - or by individuals or groups. In any case, his sense of duty would make him reject any attempt to pressure him.

209. The Minister said he hoped that at its next session, the Commission on Human Rights would change its attitude to the Islamic Republic of Iran. Otherwise, a sector of national public opinion might interpret the official attitude of

co-operation with the Special Representative and the Commission on Human Rights as a mistake. In any event, international monitoring of the human rights situation in the Islamic Republic of Iran should not continue indefinitely. The country could not tolerate such monitoring for long. If the Commission on Human Rights did not change its attitude to the country, some hard-liners within the country would argue that the conclusions of the Special Representative's reports and his visits to the country, as well as the voting within the Commission, were politically motivated.

210. The Special Representative expressed satisfaction that the Government had acted on one of the recommendations made in his earlier report and had invited the International Committee of the Red Cross (ICRC) to visit Iranian prisons. However, an agreement would have to be concluded with ICRC so that prison visits could begin as soon as possible. The Minister said that a high-level ICRC delegation had already visited the country and that a director would be arriving shortly to work out the details of the agreement. Once the necessary arrangements were made, ICRC would be able to begin its work immediately and make regular prison visits. The Minister mentioned that the Special Representative had been able to interview, in private and in complete freedom, many of the prisoners he had asked to see. That was a demonstration of the Government's trust, for he had even been allowed to interview people convicted of supplying information on national security to foreign Powers.

211. The Special Representative then asked the Minister for a detailed Government response to all the allegations of human rights violations contained in his earlier reports and in the two memorandums submitted in 1990. Such replies were crucial to the performance of his mandate. He also asked that the Government respond to his requests made on purely humanitarian and non-political grounds. The Minister answered that his Government would provide such replies, some of them before the end of his visit, and that it would consider his humanitarian requests.

212. Lastly, the Minister expressed satisfaction at the holding at Tehran University of a seminar on human rights in international law and Islamic law, which had been attended by eminent legal experts and philosophers from Germany and a number of Islamic countries and had formulated valuable conclusions.

12. Final interview with the Deputy Foreign Minister

213. After the meeting with the Minister for Foreign Affairs, the last official meeting of the visit took place. Deputy Foreign Minister Mottaki recalled that during the Special Representative's first visit there had been a discussion of the particular features of Islamic human rights principles and the Government's attitude of co-operation with the Special Representative and the Commission on Human Rights had been confirmed. It was in keeping with that attitude of co-operation that the Special Representative had been invited to visit the country a second time. One practical result of that co-operation was that talks had begun with senior ICRC officials on authorizing members of ICRC to make regular prison visits, as recommended by the Special Representative. A specific agreement to that effect would be reached shortly.

214. Concerning the Special Representative's recommendation that the right of all accused persons to legal counsel must be guaranteed, he said that a bill to that effect, which would expand on the relevant provision in article 35 of the Constitution, had been presented to Parliament. Legal counsel would even be available before the oral proceedings, in other words, during the investigation of the detainee.

215. The Deputy Foreign Minister also said that, in keeping with the role played by compassion in Islam and with the Special Representative's recommendations, the policies of amnesty and pardon had been developed and expanded. Moreover, concerning the recommendation that comparative studies and seminars be conducted on the international system for the definition and protection of human rights and the Islamic system, he said that the progress made included the recent holding of a seminar at Tehran University. Further to another of the Special Representative's recommendations, the Government had decided to request assistance from the Centre for Human Rights, under the latter's programme of advisory services, for a comprehensive, long-term project.

216. Concerning the number of executions, he said that further to one of the Special Representative's recommendations, the number of executions had declined significantly since 21 March 1990, the date of the Iranian New Year. The purpose of executions was not only to punish criminals but also to deter others from committing offences. However, executions were being carried out only for the most serious crimes, such as drug trafficking, espionage and murder. In that connection, he handed over a list of 113 executions carried out since the Iranian New Year (21 March 1990). According to that list, 32 people had apparently been executed for ordinary crimes, 71 for drug trafficking, 4 for activities contrary to national security, co-operation with armed groups and drug traffickers, 3 for terrorist acts, 2 for espionage and 1 on unspecified charges.

217. Concerning replies to the allegations transmitted by the Special Representative, the Deputy Foreign Minister said that the Government would do its best to reply to all the allegations made. However, those allegations would have to refer to problems in applying the law, the severity of penalties in relation to the crimes committed, or consistency between the penalties imposed and the laws in force. They could not be allegations questioning the Islamic legal system, laws or, specifically, the provisions of the Penal Code of the Islamic Republic. Those were issues which must be dealt with in other, primarily academic, forums and in other circumstances. The Deputy Foreign Minister also announced that the Government had presented to Parliament a bill under which the time spent in prison before sentence was passed must be credited to the term of punitive detention. The Special Representative expressed satisfaction at that initiative.

218. The Deputy Foreign Minister also said that the Islamic Republic was open to anyone who wished to examine the situation of human rights there. In that connection, he announced that the Government was giving favourable consideration to a request by Amnesty International to visit the country. He also reported that the Head of the Judiciary had replied to many letters containing allegations. He said that there was complete freedom of expression in the country and that a wide variety of views existed on domestic and international issues. No one was being

investigated or detained simply because of his political views and any citizen could express his political views openly every day in the mass media, on the street or in the mosque. Parliament reflected the diversity of political views in the country.

219. The Deputy Foreign Minister next referred to the Special Representative's visit to Evin prison. He said that the Special Representative had been able to interview in complete freedom most of the prisoners he had asked to see, including those accused and convicted of spying for enemies of the nation and of attempts on the security of the State. He added that the reasons why he had not been able to interview the other prisoners had been explained to him at the time: they had been released, they had been on temporary leave from the prison, or their trials were at the investigation stage and the prosecutors had not given the necessary authorization. In any case, the Government had trusted the Special Representative enough to let him interview people who had supplied foreign Powers with highly strategic internal information, even in wartime. That demonstrated the Government's attitude of co-operation towards the Special Representative and the Commission on Human Rights. If that co-operation was to continue, however, prejudiced attitudes and preconceptions about the situation of human rights and fundamental freedoms in his country would have to be abandoned, the remaining obstacles would have to be removed and there would have to be an end to the double standard whereby the human rights situation was investigated in some countries but not in others where there were more serious and systematic human rights violations. He hoped that the meetings of the Third Committee of the General Assembly would mark the opening of a new chapter in co-operation between the Islamic Republic of Iran and the United Nations.

220. Lastly, the Deputy Foreign Minister handed over to the Special Representative a list giving official Government information on the alleged executions of 3,620 people mentioned in different reports of the Special Representative (E/CN.4/1988/24, E/CN.4/1989/26, A/44/620 and E/CN.4/1990/24). The information in the list had been compiled by the Statistics Department of the Ministry of Justice, the Police Identification Unit and the Registry and Statistics Organization. A summary of the list is contained in appendix VI.

221. The Special Representative thanked officials of the Ministry of Foreign Affairs and the Government for the facilities and co-operation extended to him during his visit.

C. Hearing of prisoners at Evin prison

222. The visit to Evin prison took place on 13 October 1990. The Special Representative was received by the Chief of the prison administration for the Tehran area, his deputy, the director of Evin prison and an official of the Ministry of Foreign Affairs. The Chief of the prison administration explained that there were presently some 2,000 prisoners detained at Evin, of whom 60 per cent had been sentenced on charges relating to the use or trafficking of narcotics, 35 per cent were common criminals and only 5 per cent (between 100 and 105 persons) were political prisoners. He added that all political prisoners of Tehran province

were detained at Evin. The Director of Evin prison again stressed the special character of the Iranian prison system which was aiming at the rehabilitation and re-education of offenders. That explained the frequency of amnesties as well as the possibility for many prisoners to be granted leave which could range from three days up to a year. Leave could be granted both to common and political prisoners. The prison officials expressed regret that the Special Representative had chosen mainly persons who were known as opponents to the Government, or had been newly arrested, because there had been little time for the authorities to influence in a positive manner their misguided convictions. He further stressed that the prison administration must be given an opportunity to defend itself against any unjust accusations that might be voiced by any prisoners the Special Representative would see.

223. Since the Special Representative had already visited various installations at Evin prison, he requested that his visit be devoted this time exclusively to a hearing of the 26 prisoners he had selected. The 26 names given to the authorities on 9 October 1990 concerned cases on which the Special Representative had received particularly detailed information. They can be classified into the following categories: (a) prisoners allegedly convicted and sentenced to execution; (b) prisoners allegedly subjected to torture; (c) prisoners who allegedly suffered reprisals after having met the Special Representative during his first visit; (d) prisoners of foreign nationality; (e) prisoners belonging to the group of persons who had signed the open letter of former Prime Minister Bazargan to the President; (f) prisoners belonging to the Baha'i community; and (g) a group of female prisoners, two of whom the Special Representative had seen during his first visit.

224. The Special Representative was told upon arrival at Evin prison on 13 October 1990 that, for various reasons, it would not be possible to see all 26 persons. The Special Representative, therefore, handed to the authorities an additional list of six persons.

225. The Director of Evin prison explained that two persons appearing on the first list had been released, four persons had been granted leave, and that two persons were detained at Arak and Karaj, respectively, and could, therefore, not be met at Evin. For a group of 10 prisoners (six on the first list and four on the second) he had not received authorization from the prosecutor to present them to the Special Representative, since their cases were still under investigation. The Special Representative pointed out that the cases of other prisoners whom he would be allowed to meet were also under investigation, in some instances even in connection with the same offence of which other prisoners whom he would not be permitted to see were charged.

226. Appendix IV of the present report contains the names of all those prisoners which the Special Representative had requested to see, as well as the reasons given by the authorities with regard to those with whom he could not meet.

227. Among the persons who were not available for a hearing by the Special Representative was Mr. Roger Cooper, whom the Special Representative had unsuccessfully tried to see during his previous visit. Asked about the reasons,

the Director of Evin replied that the trial of Mr. Cooper was still pending. The Special Representative recalled that, on his first visit, he had been told that Mr. Cooper had been sentenced to 10 years in prison and that his sentence was being translated into English. The Director said that the trial was not over because the sentence had been appealed. The Special Representative said he did not consider this a valid reason for refusing to let Mr. Cooper see him, for the interviews were neutral and had nothing to do with the status of trials. Moreover, some of the other prisoners he was going to interview had appealed their sentences and he did not see why Mr. Cooper's case should be handled any differently. The Director replied that a new accusation had been made against Mr. Cooper and another trial had begun, related this time to moral issues. He then confirmed that Mr. Cooper had been sentenced to 10 years of imprisonment.

228. During the ensuing interviews, which took place in an office of the administration of Evin prison without the presence of Iranian officials, the Special Representative spoke briefly with the following persons: Mr. Jamshid Amiri-Bigvand, Mr. Bahman Agahy, Mr. Hooshang Ahmadi Bigvand, Mr. Noureddine Kianouri, Ms. Meriam Feirouz, Mr. John Pattis, Mr. Nour Ali Tabandeh, Mr. Ali Ardalan, Mr. Farhad Behbahani, Mr. Hossein Shah Hosseini, Mr. Badíulláh Sobhání, Ms. Sakineh Sedaghat, Mr. Ezzatollah Sahabi and Mr. Khossro Mansourian.

229. The Special Representative first received Mr. Kianouri, the former Secretary-General of the Tudeh Party, whom he had already seen during his first visit and who, on that occasion, had made serious allegations of torture. He also saw his wife Meriam Feirouz. Concerning both persons, allegations have been received that they had suffered reprisals subsequent to the Special Representative's first visit (see para. 76). Mr. Kianouri stated that the permission given to him to see his wife and daughter once a week for one hour had been reduced to one telephone call to his wife every four weeks and one visit from his daughter every two weeks. However, he had not been placed in solitary confinement, as alleged, and three weeks before, the previous rhythm of visits was again being applied. He appeared to be in better physical condition than in January 1990. Mr. Kianouri further stated that he had requested that permission be given to his wife to urdergo surgery outside the prison, but that the authorities had so far not acceded to this request. Mrs. Meriam Feirouz referred to various types of torture inflicted upon her at the beginning of her detention, which started in 1982. This torture had resulted in the loss of hearing in one ear, considerable difficulty in swallowing food and various other consequences as a result of heavy beatings. She requested that she be allowed to give her statements standing, as she suffered pain when sitting. Given her physical condition, she had requested the prison authorities not to oblige her to share a cell with others and this had been granted. On the other hand, the lack of company had resulted in serious psychological strain. She also said that during the eight years of her detention, and particularly during the past three years, she had received sympathetic treatment from a number of persons within the prison.

230. The Special Representative then met Messrs. Ardalan, Behbahani, Mansourian, Sahabi, Shah Hosseini and Tabandeh, who had signed the open letter of former Prime Minister Mr. Bazargan to the President of the Islamic Republic of Iran. These

persons stated that they had been arrested in June 1990, some 20 days after the publication of the open letter, and since then had been kept in solitary confinement, some at Tohid prison (formerly called Central Komiteh Prison) and at Evin prison. While some of them stated that they had received written charges, others said that they had learned of the accusations indirectly through questions put to them by their interrogators. According to the detainees, the charges varied from case to case, such as "measures offending national interest and sovereignty", "participation in activities against the revolution and national interests", "publication of the open letter and dissemination of its content abroad", etc. In several instances, the interrogators alleged that there had been a co-operation between the group of signatories of the open letter and a foreign intelligence agency and that by publicizing the letter abroad the group had played into the hands of the enemy. Mr. Ardalan, the Chairman of the executive committee of the Association for the Defence of Freedom and the Sovereignty of the Iranian Nation, categorically denied that the Association had attempted to become a political alternative to the present Government or had ever engaged in activities that could be construed in any way as espionage. If any of the co-signatories of the open letter had had contacts abroad, this was a private initiative of the individual concerned and not a policy of the Association. Mr. Behbahani stated that the authorities had resented that the open letter had reached foreign media. In this connection, he was questioned about a visit to the United States where he had met friends nine months before his arrest. He stressed, however, that he had neither been accused of, nor had he confessed to, any charges of espionage. When he appeared on television on 6 August 1990, he had simply admitted to have realized that the position taken by the group of signatories was in conformity with the policy of a foreign Power and that, as such, their position was wrong. He also expressed himself in favourable terms with regard to prison conditions. He said that the treatment was satisfactory and the food superb. This contrasted sharply with statements by others who complained about the extended duration of solitary confinement (at Tohid prison in cells not bigger than 3 x 1.17 metres) for which there was no legal limit as long as the case remained under investigation, the very rare occasions on which contacts with relatives had been permitted and the lack of legal counsel. In one case, severe beatings were alleged. Generally, most of the persons belonging to this group appeared to be under great stress. Some of them requested specialized medical treatment from outside the prison, in view of their ailments, advanced age and the difficult conditions of four months of solitary confinement.

231. The Special Representative also met Messrs. Amiri-Bigvand, Agahy and Ahmadi Bigvand, all accused of espionage (see para. 35). The first two persons confirmed that they had been tried and sentenced to execution, whereas the third person declared that his trial had taken place two years ago and that he was still awaiting to be informed of the sentence. Their trials had taken place before a revolutionary court, without formal charges or defence counsel. One of them stated that his trial had lasted only 15 minutes. The two convicted persons had made confessions on television and had appealed against the verdict. They had not been informed of the follow-up to their appeals.

232. The Special Representative also saw Mr. John Pattis, a United States citizen sentenced to 10 years' imprisonment on spying charges. Mr. Pattis said that he had

admitted having worked for a foreign intelligence agency. During the investigations, he had never been presented with formal charges and was held for three months in solitary confinement. In September 1986, he made a public confession on Iranian television. His trial before a revolutionary court took place in March 1987 before one judge, one representative of the prosecutor and one interpreter. There were three witnesses of the prosecution and the court session lasted approximately four hours. He had not benefited from legal counsel and the sentence was passed with the annotation that it could not be reduced. Since then, he had received three consular visits, in 1987, 1988 and 1989, from the United States Interest Section at the Swiss Embassy. He had not been tortured but had received threats. He was being held in a cell with two other foreigners (Mr. Cooper and a prisoner of German nationality) and affirmed that prison conditions had improved significantly before the Special Representative's two visits.

233. Mr. Sobhání, a retired employee of the Ministry of Education, stated that he had been arrested a month before, as he was unable to repay the pension he received during the past 14 years. This had been requested since he was a Baha'i. He was simply told by the authorities that, as long as his family could not pay his bail, he would remain in prison. He had never been formally charged, nor had he been presented to a judge. Since he had no hope of ever being able to pay the requested sum, he feared that he would be imprisoned for the rest of his life.

234. The Special Representative also received Ms. Sakineh Sedaghat Rashdi, who was arrested in 1988 while trying to leave the country illegally. She was sentenced by a revolutionary court to three years' imprisonment, without access to legal counsel and stated that she had recently received permission to leave the prison for one week and was receiving visits from members of her family.

D. Trial proceedings at Evin prison

235. The Special Representative had requested the opportunity to be present at trial proceedings of a revolutionary court concerning an offence for which capital punishment may be pronounced. On 14 October 1990, he was invited to attend trial proceedings at Evin prison which, however, appeared to concern an offence (armed robbery and banditry) that does not fall into the competence of revolutionary courts. According to official information received from the Ministry of Foreign Affairs, revolutionary courts are competent for the following cases: "All crimes committed against the internal and external security of the state, or related to corruption on earth or war against Allah; attempts against the life of political authorities; all crimes related to narcotics and smuggling; all cases related to murder, massacre, imprisonment and torture with the purpose of consolidating the Pahlavi régime and suppressing the struggle of the Iranian people, both as perpetrator and abettor; misappropriation of public funds and profiteering and hoarding of foodstuff".

236. A judge presided over the hearing in the presence of nine accused and five victims. There was a defence lawyer who asked to speak at the end of the hearing, before sentence was passed. The judge read out verses from the Koran and then

asked the accused to introduce themselves and answer questions. The prosecutor read out the accusation, mentioning eight different acts of armed robbery committed by the nine accused. The six victims then testified.

237. The prosecutor asked each of the accused whether they admitted to having committed the offences, and all of them answered in the affirmative. The judge repeated the question, asking the accused whether they admitted to the offences; they again answered in the affirmative. The judge asked each of them what he had to say in his own defence and they all answered that they simply begged forgiveness. He then asked one of them why he had committed the offence and the answer was one word: "stupidity". The judge asked whether they were ready to apologize to the victims and some of them simply said no.

238. The judge turned to the victims. The first of them said that he held to his version that the attackers had used weapons, even though they denied this. One of the plaintiffs said that one of the accused had apologized to him but the other two had not, and that if they apologized he would withdraw his complaint. Each plaintiff in succession then described his reactions and wishes.

E. Information received by the Special Representative from non-governmental sources

239. The Special Representative was informed by the Minister for Foreign Affairs that a number of Iranian non-governmental organizations had requested the Ministry to arrange for meetings with him during his stay in Tehran. The Special Representative accepted this request and, on 12 October 1990, met representatives of the following organizations: Organization of Iranian Women; Workers' House; Organization for Defending Victims of Violence; Association of Families of Martyrs; Teachers' Association; Writers' Association; Association of High School Students; and Organization for the Defence of Victims of Violence.

240. The Organization of Iranian Women stressed that women enjoyed freedom in absolute terms without any limitations. They stated that women had freely chosen the law of Islam and that their only complaint was that not all Islamic rules were as yet fully implemented. They thought it a cruelty to pretend that men and women are equal, since the two sexes had very distinct characteristics.

241. The representative of Workers' House explained that that organization was the principal trade union of the country and participated in the work of the International Labour Organisation. He stated that many of its leaders had been assassinated by counter-revolutionary groups and that they still feared for their safety. The most recent assassination had taken place at Sanadaj some two weeks before. He described the union's relationship with the Government as satisfactory, although not all promises had been fulfilled and difficulties with regard to housing and the level of salaries still existed. However, the organization had realized the limitations that the Government was facing in this regard in view of the consequences of the war that had been imposed upon it.

242. The Organization for Defending Victims of Violence presented several witnesses, three of whom stated that they had been former members of the Mojahedin Organization. They had subsequently been imprisoned and amnestied. All of them stated that they had received "humane and Islamic treatment" while in prison. At present they did not have problems with the authorities but were living in constant fear of reprisals by the Mojahedin Organization. One of them said that he had been given a job in the administration. A fourth witness said that he was a former communist but had realized that his activity as a journalist for communist publications was equivalent to the crime of spying. Two persons presented by the Organization, Ismail Asghar-Nejad and Mohammad Shabanzadeh, stated that their names had been included in a list published by the Mojahedin Organization of persons allegedly executed by the Government. They showed their identity cards, of which photocopies were taken. The name of the first person appears in the list of alleged executions annexed to the Special Representative's report to the forty-fifth session of the Commission on Human Rights. 2/ The name of the other person does not figure in any list available to the Special Representative.

243. The Association of Families of Martyrs requested the Special Representative to devote particular attention in his report to the problem of terrorist acts committed by the Mojahedin Organization and, in this connection, reported several killings. The Special Representative was also asked to reaffirm the specific rights of the martyrs of terrorism. The Association further referred to the Baha'i community, which they accused of financially supporting the State of Israel. Those Baha'is who refrained from such activity did not suffer any discrimination in the country.

244. The Association of Teachers referred to certain problems that those in their profession were facing, which they, nevertheless, fully accepted. The difficulties they mentioned concerned economic restraints for schools, limitations for women with regard to pursuing certain university studies and limitations for Armenians and Kurds regarding the teaching of their respective languages and culture in their schools. They also complained that it was not admissible to criticize the Government for such situations.

245. The Writers' Association, represented by three women, referred to the strict control to which they had been subjected during the Government of the Shah. The main problem they were facing at present was the fact that they were not allowed to write about non-religious subjects. Numerous members wished to describe the problems of present-day Iranian society in the form of a story. This was, however, not permitted. All literary works required the approval of the Ministry of Culture and Islamic Guidance and it was impossible to have paper allotted by the Government and have literature published without such approval. The association considered itself in opposition to the Government, but wanted to underline clearly the distinction between themselves and any opposition groups existing outside the country. They stated that the Government did not prevent unarmed opposition.

246. The Association of High School Students informed the Special Representative that an organization of guardians of the Islamic society had been established in every high school, which resulted in certain limits with regard to the freedom of expression and instruction. Generally, they complained that standards of teaching

were low and that classes were over-crowded. Although secondary education was free of charge, important expenses had to be incurred by the families for books and teaching material. For that reason, they had decided to leave the organization of Guardians and to create their own association. This did not mean, however, that they were political opponents of the Government or that they sympathized with the Mojahedin Organization, whose members they considered as terrorists.

247. The Association of Students explained their objectives as encompassing the struggle for freedom of expression, the promotion of sound intellectual and political activities, and a campaign against oppression and anti-human movements. The Association presented various allegations concerning the activities of the Mojahedin Organization.

248. The Association for the Defence of the Victims of Violence also denounced several attacks by the Mojahedin Organization.

249. At the request of the Ministry of Foreign Affairs, the Special Representative also paid a brief visit to the Institute for International Studies. The Director of the Institute explained that, already in the late nineteenth century, a similar institution was founded which was later incorporated into the University of Tehran. In 1973, a new Institute, separate from the University, was created. It was seized in 1980 and re-established in 1983. At present 380 students studied at the Institute, of whom 100 were staff members of the Ministry of Foreign Affairs. Four permanent professors and several invited professors gave courses on the practice of diplomacy and negotiations. Every year a number of students attended the session of the General Assembly. Owing to the lack of time, the Special Representative briefly greeted the students, but was not in a position to give a lecture to them, as had been requested.

F. Information received from private persons

250. During his stay at Tehran, the Special Representative once again paid a visit to Mr. Mehdi Bazargan, first Prime Minister of the Provisional Revolutionary Government, who received him in the company of Dr. Yazdi, former Foreign Minister of the same Government. Mr. Bazargan expressed great concern over the detention of signatories of his open letter to the President and emphasized the illegality of both the arrests and the fact that the authorities had voiced accusations in public, in particular, such serious charges as espionage. The latter violated the principle of presumption of innocence of the accused. Mr. Bazargan pointed out that, after the arrest, he had sent a series of additional letters to the authorities, in particular the Head of the Judiciary, of which he handed copies to the Special Representative. He said that he had never received any reply to those letters.

251. The open letter criticized the Government for the worsening economic and social situation and the lack of freedom and security in the country. It accused the Government of mismanagement and of an extremist foreign policy which has led to the country's isolation in the international community. The signatories of the letter invited the President and his Government to take the following measures and policies:

"(a) To prevent the perpetration of violations and destructions in the country and to avoid signing subjugating and not nationally supervised agreements with foreigners;

"(b) To restitute the legitimate rights of people stipulated in chapters 3 and 5 of the Iranian Constitution and to stop suppressive policies of some [government] institutions and organs;

"(c) To safeguard and guarantee freedom of activity for those political parties and associations and press which have legal and open activities;

"(d) To provide opportunities for free and undisturbed debates, talks and exchange of views for the purpose of resolving problems of the country and seeking sincere co-operation of people and eventually paving the way for establishing the legitimate rule of the people."

252. Mr. Bazargan further stated that none of the arrested persons had been allowed to avail themselves of legal counsel, that virtually all were held in isolation and that their contacts with relatives and friends had been extremely limited. As he had stressed in various letters to the authorities, it was illegal to detain persons without informing them of the charges held against them within 24 hours and keep them in solitary confinement for such extended interrogation by agents of the Ministry of Intelligence without passing the cases to the competent courts. He also drew the Special Representative's attention to the precarious health situation of some of the detainees. He further mentioned that the offices of both the Freedom Movement (the party of which he was president) and the Association for the Defence of Freedom and the Sovereignty of the Iranian Nation had been closed by the authorities and that all their files had been confiscated. According to an announcement of the revolutionary prosecutor, the Association for the Defense of Freedom and Sovereignty of the Iranian Nation had been prohibited. However, the revolutionary prosecutor was not competent to make such a statement and a ruling concerning the dissolution of a political party or association, in accordance with the existing laws on political parties and associations, could only be made by a special court of the Ministry of Justice upon a complaint by the Minister of the Interior. With regard to his own party, the Freedom Movement, no formal decision had been taken, but since its building and files had been confiscated, its activities were de facto restrained. The Freedom Movement had provided all the information required by the Ministry of Interior in accordance with the Law on political parties and the Minister had not declared its functioning illegal within the three-month period stipulated by the law.

253. Mr. Bazargan further mentioned that on numerous occasions the authorities had officially recognized the right to criticize the Government and an example of this were the discussions in the Majlis (Parliament). However, a number of deputies had publicly declared that they did not feel safe to say everything they wanted to say. He cited several names of deputies who had been eliminated from the Majlis as a consequence of critical statements.

254. Other private persons, including Ayatollah Seyed Abolfazl Musavi Zanjani, the author of a comparative study on Islamic principles and the Universal Declaration of Human Rights, complained about the lack of freedom of expression. According to assertions by several persons, the manner in which this manifested itself varied from case to case, ranging from intimidation and threats by members of the revolutionary guards or other organized groups, dismissal from employment, exclusion from public activity to detention and indictment or de facto isolation or house arrest, such as in the cases of Ayatollah Qomi in Mashad or Ayatollah Rohani in Qom. These persons also referred to a variety of strict measures of control over any opposing views, such as the inspection of correspondence, the tapping of telephone conversations, and a network of inquisition exercised by the revolutionary guards and agents of the Ministry of Intelligence.

255. Relatives of Mr. Amir Taavoni reported that he was arrested, together with his wife and his four-year-old daughter in 1982, on charges of sympathizing with the Mojahedin Organization. His daughter was released after 40 days of detention and he was sentenced seven months later to five years of imprisonment. The relatives affirmed that he was tortured and that as a result of beatings he could hardly stand on his feet when they visited him at Evin prison. He was released in 1986 and, since he could not obtain a passport, he fled the country together with his wife and daughter. He was rearrested at the frontier in 1987 and, after 10 months of imprisonment, without trial, was executed at Evin prison.

256. One person, who requested that his name be kept confidential, alleged that some 50 former members of the Mojahedin Organization were kept in incommunicado detention at Evin prison in the so-called "Section 209". The names of these prisoners did not appear on the prison register and the persons detained in this Section required the urgent attention of the Special Representative. A similar assertion was received from a former detainee at Evin prison. Since this information was given to the Special Representative on the last day of the visit, he had no occasion to follow it up with the authorities.

257. Nahid Arabali, Effat Bahrololoum, Ali Jajarmi, Maryam Rahmanian-Kooskaki and Mahshid Shakernia stated that the Mojahedin Organization had reported their execution. They presented their identity cards and it was later established that the names of the first and third persons appear in a publication by the Mojahedin, that the names of the second and fifth persons are listed in the annex of the Special Representative's report to the General Assembly at its forty-fourth session (A/44/620), and that the name of the fourth person is included in the annex to the report to the Commission on Human Rights at its forty-fifth session. 3/ It should be noted, however, that the lack of personal data other than the name, as well as discrepancies in the spelling of names do not permit one to establish with certainty that the listed persons are identical with those who appeared before the Special Representative.

258. Several persons said that they were Iranian prisoners of war in Iraq and alleged that they had been induced by the Mojahedin Organization to join their ranks. The Special Representative considers these situations outside the framework of his mandate and, therefore, refrains from reporting on the numerous detailed descriptions he received on such cases.

259. Co-ordination between Islamic law and international law was the subject of a private conversation with Ayatollah Yazari, who long before had invited the Special Representative to discuss that matter with him. The Ayatollah expressed the view that a truly universal order of the rights of human beings should be based on the common principles of Judaism, Christianity and Islam. In this connection, he suggested the creation of an "Abraham Society" in the framework of which the implementation of these principles could be studied.

260. Hundreds of letters and written communications were again received by the Special Representative during his visit. Since most of them were received in Farsi, they could not be translated and analysed in time for the completion of the present report. The Special Representative, therefore, intends to revert to these communications in his report to the next session of the Commission on Human Rights.

G. Meeting with members of the Baha'i community

261. The Special Representative also met three members of the Baha'i community, who essentially confirmed the allegations received earlier. At the same time, they recognized the willingness of the Government to solve the outstanding problems and stated that discrimination, in particular business and occupational deprivation, although still existing, had been somewhat relaxed, that confiscation of property had been limited in the present year to one case only and that petitions regarding confiscation of farms and orchards had met with some positive reactions, though so far with little tangible results. Nearly 300 Baha'is had applied for passports but only 24 had obtained them, as well as the necessary exit permits, and some more had been summoned to interviews, possibly leading to the issuance of passports. Baha'i students were still not admitted in colleges and universities, but those who were denied admittance in primary or secondary schools were now permitted to continue their education at pre-college levels. The courts of justice still did not accept heredity petitions presented by Baha'i heirs and many Baha'is were deprived from entering into business transactions. However, in some localities Baha'is were now being granted business licences. With regard to the problem of cemeteries, there were still no formal ownership rights given to the Baha'is guaranteeing their places of burial. Medical doctors could only exercise in private practices and could not take part in the national insurance scheme, and Baha'i lawyers were not admitted in the bar association or in courts. Reference was also made to the enormous financial pressure to which members of the community were subjected, to the impossibility of obtaining credit, or to accede to higher positions, even in cases of academic qualifications acquired abroad. A person who had been involved in scientific research for many years related how she had been ousted from Tehran University, together with other Baha'i professors who were now trying to survive as truck drivers or flower salesmen.

262. Some positive developments were said to consist in the partial lifting of the ban on meetings, allowing a maximum of 15 Baha'i to attend their 19-day feasts. For Baha'i funeral meetings there were no restrictions on the number of persons attending. Furthermore, Baha'i families received food allowance booklets and coupons and were given permission to connect their telephones, which had been interrupted for many years. Finally, the regulations affecting married conscripts were now also being applied to Baha'is.

H. Meeting with the Armenian community

263. On Sunday, 14 October 1990, the Special Representative attended mass at the Armenian Orthodox church and met Archbishop Artak Manookian. Allegations received prior to the visit in connection with the situation of the Armenian community are reflected in paragraphs 98 to 101. The Archbishop deplored in particular the extremely limited possibility of language training in the Armenian schools - only two hours per week at the primary school level and none at the secondary school level - as well as the lack of religious education. In the latter respect, some progress had been made in reaching an agreement with the Government in the question of the catechism, but the implementation of the agreement was still being awaited.

V. OBSERVATIONS

A. General observations

264. Following the submission of his final report to the Commission on Human Rights, 4/ the Special Representative received copious, diverse information on the situation of human rights in the Islamic Republic of Iran. Encouraged by his first visit to the country, Iranian exiles of all political persuasions, relatives and friends of people with police or judicial problems and non-governmental organizations working for the protection of human rights all provided such information. Hundreds of letters were received, some of them in English or French but most in Farsi. During his second visit to the country, the Special Representative also received information about specific cases and heard the Government's views.

265. Charges and counter-charges, allegations and counter-allegations are alluded to briefly in the relevant chapters of the provisional report. Often conflicting data and views have been included, giving an idea of the diversity of opinions, some of them extremely polarized, as to the situation in the Islamic Republic of Iran. There are virtually no accounts of situations or specific cases whose accuracy and veracity are not disputed.

266. This final chapter summing up the provisional report contains general or specific observations, depending on the matters at issue. In a way, the observations are the forerunner of the conclusions which the Special Representative will submit in his final report to the Commission on Human Rights, but they are separate and distinct from those conclusions. The recommendations addressed to the Government of the Islamic Republic of Iran in earlier reports therefore remain valid.

267. In preparing the programme of work for the second visit, it was necessary to select cases which were sufficiently important and on which sufficient details were available for them to benefit from on-site investigation. It was possible to take up most, but not all, of the cases selected on previous occasions: the cases of 10 prisoners accused of espionage or similar offences could not be investigated because the Government would not allow the prisoners to be interviewed. The Special Representative deeply regrets that he was not allowed to interview these

prisoners, for he believes that they could have given him information about due process of law and the prison system. The Special Representative was also unable to visit Gohardasht prison, where he had planned to request an interview with four prisoners. The Government was given only a few hours' advance warning of his desire to visit Gohardasht and he was not informed of its reasons for refusing permission.

268. On his second visit, the Special Representative did not have to contend with the crowds who obstructed his first visit. On some days, relatively small groups of people blocked the entrance to the office where he generally heard witnesses, but even so he was able to receive witnesses at the office and to question others at the Estelghlal Hotel and in private homes. Of course, the rule of confidentiality was observed with regard to the names of people who requested it.

269. The information he received concerned executions, ill-treatment and torture, lack of defence counsel in trials before the revolutionary courts, failure to notify detainees of the charges against them immediately after their arrest, difficulties in ensuring public trials, restrictions on the press, on the publication of books and on artistic creation, problems with the right of petition and obstacles to forming associations in general and political parties in particular.

270. In general, witnesses and observers often seem to seem the Special Representative's visit to the country as operating as some kind of panacea, and they tend to expect spectacular results from it. That, after all, is the attraction of the panacea which, since time immemorial, has been sought after both as a cure for individual diseases and as a solution to social problems. It is very difficult, in one or two visits, to change a situation as if by magic, or to investigate thousands of cases when only a sample can be obtained of such cases and their implications must be analysed by means of logic. Visits are but a stage, though obviously an important and essential one, in the process of verifying the human rights situation in a given country, and evidence of a Government's desire to co-operate with the competent United Nations organs.

B. Action taken by the Iranian Government

271. As a result of recommendations made in earlier reports and matters discussed during the first visit, senior officials said that the Government had taken steps to implement some of the recommendations. In particular, they mentioned the decision to allow ICRC to visit prisons. The official notification of the decision to allow prison visits imposes no restrictions whatsoever as to the prisons that can be visited or the kinds of prisoners or their offences. The Special Representative pointed out that in order to implement the decision, the Government would have to reach a working agreement with ICRC because IRC begins to make prison visits only after such agreement has been obtained. The Special Representative urged the competent officials to conclude such an agreement as soon as possible so that regular visits to prisoners accused of ordinary and political offences could begin. The competent officials said they were ready to conclude a definite agreement with ICRC as soon as possible. On his return to Geneva, the Special

Representative was informed that ICRC had submitted to the Government on 24 October 1990 details of its traditional procedures for prison visits.

272. The Iranian Government has requested technical assistance from the Centre for Human Rights. It has also brought together experts from various countries and regions to consider ways of co-ordinating Islamic law with the obligations imposed by international law. The Government has also granted a number of amnesties which have benefited many prisoners (see appendix VII). Iranian officials said that they had taken steps to improve conditions for accused or convicted prisoners and that a special fund had even been set up, financed by the Government and philanthropists, to provide them with financial aid.

273. Another noteworthy development is that the Government has begun to reply to the allegations transmitted to it. It presented a long list of people allegedly executed over a number of years (see appendix VI) and a list of executions carried out since the beginning of the current Iranian year (21 March 1990) (see appendix V). The Government noted that there had been a decrease in the number of executions as a result of the recommendations made in earlier reports.

274. In recent months, the Government's co-operation with the Special Representative has improved and has come closer to, although it has yet to reach, what could be considered a desirable level. The provision of information on executions is a positive step, but a detailed response has yet to be forthcoming on numerous allegations of human rights violations. The Government has reiterated its willingness to reply to all these cases. It is therefore necessary to reiterate to the Government the request that it reply in detail to all allegations regardless of the date on which they were made, in other words, without drawing any distinction between old and new allegations.

C. Specific observations

275. Concerning the most important right, namely, the right to life, it should be noted that according to estimates from non-governmental sources based, inter alia, on statements by the Assistant Attorney-General, the number of executions between January and May 1990 was relatively high. Moreover, before completing his second visit to the country, the Special Representative was given an official list indicating that 113 executions had been carried out since 21 March 1990. The figures provided by sources abroad are considerably higher than the official figures. In any case, the official figures are still higher than can be considered compatible with the restrictive and exceptional circumstances in which the International Covenant on Civil and Political Rights authorizes Governments to apply the death penalty.

276. The Special Representative has continued to receive many reports about the absence of a lawyer at trials heard by the revolutionary courts. On his second visit, in the course of interviews with prisoners at Evin prison, he was able to confirm that in five cases the accused had appeared before the revolutionary courts without defence lawyers. Two prisoners who had been condemned to death had not benefited from defence counsel, and had not even requested it because they knew it

was not allowed in revolutionary courts. A third prisoner, who was tried two years ago and still has not been informed of his sentence, also did not have a defence lawyer. In the first two cases, the sentence was the death penalty, and the same penalty is expected in the third case. These cases confirm that, in practice, compliance with this essential element of due process of law is inconsistent and uneven.

277. Public trials are another element of due process. According to the information received, the Government has ruled, without mentioning any exceptions, that trials must be public. Based on this, the Special Representative pointed out that facilities for a public trial did not exist in prisons. When he attended a trial in Evin prison, it was obvious that prison trials can not really be public because access to them is subject to the restrictions inherent in prison security. Entry to Evin prison is heavily supervised and restricted, while a public trial requires access by the press and the public as and when they desire. The room in which the trial was held was also too small for a genuinely public trial to be held, for with nine accused, five plaintiffs and various court officers, it was almost full.

278. The Special Representative found that in many cases the constitutional obligation to inform an arrested person of the charges against him immediately after his arrest had not been fulfilled. Some prisoners had never been informed of the charges, while others were informed two or three weeks after their arrest. A number were not informed in writing and quite a few realized what the accusation was from the questions asked during their interrogation. These cases would also seem to bear out similar allegations received from different sources.

279. Special mention should be made of televised confessions. The Special Representative talked to three people at Evin prison who had appeared on television and confessed to the crime of espionage. All denied having acted under pressure or in response to threats or promises. However, two of them said that it was known from earlier cases that people who confessed their guilt in public had their sentences reduced and were treated more leniently, and that they therefore expected something in return. Televised confessions have aroused considerable scepticism and they are seen as lacking spontaneity and authenticity. In view of this situation, the practice does not contribute to the proper administration of justice. Rather, it undermines and obscures the administration of justice for purposes alien to it, particularly when the practice takes place in the course of the investigation.

280. Citizens who have availed themselves of the right of petition have not received a reply from the officials petitioned. It should be recalled that the right of petition imposes on the authorities an obligation to respond to the petition, although not necessarily to grant it.

281. Concerning associations in general and political parties in particular, it should be noted that the laws regulating them impose conditions which, in theory, are supposed to ensure that the Constitution and moral and religious principles are upheld. In practice, however, they have the effect of ensuring that associations whose purpose is political propaganda and electioneering or the protection of human

rights are not legally recognized. Problems arise for individuals when associations are in the process of being formed, since there is no clear distinction between the individual responsibility of members and the responsibility of the associations themselves, or indeed of associations whose activities are authorized. Moreover, until an association is recognized, no judicial remedies are available to it. Two groups outside the Government have attempted to form legally recognized associations and have made the corresponding applications to the Minister of the Interior. These are the Freedom Movement and the Association for the Defence of Freedom and the Sovereignty of the Iranian Nation. Neither of these groups has been formally authorized and their situation recently became more precarious when accusations were made against some of their members. The authorities say that they have been given de facto authorization, a situation which perpetuates the uncertainty about their activities and leaves the right of association open to interference. Moreover, while they are allowed to publish statements and manifestos, the authorities can at any time seize a publication which provokes their displeasure. This tolerance does not extend to participation in elections. The Bible Society, which has a long tradition and has existed for many years, has also been dissolved and its papers confiscated.

282. In early June 1990, 90 former members of the first Revolutionary Government and eminent persons from a very broad spectrum of professions and occupations signed an open letter, the text of which circulated world wide, in which they called on the Government to adhere to the Constitution and criticized its economic policies. The Special Representative was able to interview some of the letter's signatories, many of them members of the Freedom Movement and the Association for the Defence of Freedom and the Sovereignty of the Iranian Nation, at Evin prison. They claimed that the open letter was the sole reason for their detention and that the accusation of espionage was a fabrication. One of the prisoners interviewed, who had appeared on television, admitted that on a trip abroad he had met with friends and that during the investigation he had acknowledged that the views of the organization to which he belonged coincided with the position of foreign news agencies, but said that he had neither committed nor admitted to committing espionage. He said he had appeared on television of his own free will and that no promises had been made to him. The other people interviewed vigorously denied having engaged in espionage and said they hoped that each of them would be judged in terms of his individual responsibility.

283. Some prisoners had been able to deduce from their interrogation that the accusation was based on two facts: first, that foreign news agencies had published the contents of the letter before it was made known in Iran and, secondly, that the contents of the letter coincided with the customary position of two foreign radio stations. None of the detainees admitted guilt and one of them said that he had been severely beaten in prison.

284. The trial of these people will be a test case for the application of the rules of due process. It should be noted that the rules governing the Iranian judicial system establish that during the period of investigation the accused remains in complete isolation. As mentioned above, the authorities allowed the Special Representative to interview a number of the accused. The sequence of events shows that the publication of the letter prompted and marked the beginning of the

judicial proceedings. The real reason for the official reaction may therefore be the Government's displeasure at this kind of criticism. As a result, most - if not all - of the prisoners can be considered dissidents and prisoners of opinion and described as prisoners of conscience. During interviews, Government officials said that calling on the Government to adhere to the Constitution implied, by definition, that the Constitution was not being adhered to. As subsequent events have shown, however, freedom of expression and the right of petition are indeed being flouted.

285. From talking to journalists and writers, the Special Representative was able to obtain information about restrictions on the press, on the publication of books and on artistic creation. For the press, problems begin with the distribution of paper, which is in Government hands. The Government can use this to put pressure on the mass media, giving them less than they need if they deviate from the accepted or tolerated line. After this comes personal pressure on journalists whose work is not, for one reason or another, in line with dominant official opinion; such pressure has the effect of bringing the journalist somewhat into line.

286. According to the information received, books require prior authorization from the competent authority. The authorities say that such authorization is granted or denied strictly on moral grounds, but the fact is that, by law, books are also evaluated in terms of their adherence to the Constitution. Since the Constitution is a political and legal instrument, political criteria therefore also come into play. The writers and artists interviewed feel that artistic freedom is being impaired. The Special Representative was told of the case of a women writer who published a book which apparently did not meet the necessary requirements, was put in prison and has only just been released after serving her sentence. The owner of the publishing house was also convicted. Writers and artists want more room for artistic expression and say that the current regulations inhibit their freedom of expression, both in literature and in the arts.

287. The information received about associations, the press, books and artistic creation, the truth of which does not appear to be in doubt, is consistent and coherent with the laws governing those matters which senior officials explained in the course of interviews. Given the prevailing legal and administrative situation, it does not appear possible to exercise the right to disagree with the Government because that right presupposes an atmosphere of social and political tolerance and adequate guarantees of legal security.

288. The Special Representative talked privately, in private homes, to people who have no ties to the Government and have led a normal life, without police or judicial complications. These people, however, agreed to be interviewed only after taking numerous precautions to preserve their anonymity. They said they feared reprisals if it became known that they had given information about the situation in the country. They fear irregular groups and Komiteh and Pasdaran agents who use intimidatory tactics. Many people interviewed at the UNDP office and the hotel voiced the same fears. This is further evidence of people's uncertainty about the consequences of their actions. This uncertainty is felt even by members of Parliament, as can be seen from a statement made in Parliament by Haeri Zadeh, representative of the Province of Birjand: "I am not secure enough to say what I want to say".

289. Concerning the situation of the Baha'is, nine of them are still in prison, but none has been executed in recent months. Many documents signed by administrative authorities have been received, providing evidence of discrimination, confiscation, rejection by universities, suspension of pensions, demands for the return of pensions earned and paid, denial of passports and other irregularities. Such measures are not taken everywhere, nor in all administrative offices, and it would seem that the attitude towards the Baha'is and their situation depends on the temperament and personal convictions of individual officials. This keeps the Baha'is in a perpetual state of uncertainty about their activities. The Government should therefore be requested to take effective action to ensure that these Iranian citizens enjoy the same civil and political rights as the rest of the population.

290. It can be concluded from the specific cases that have been confirmed that the investigation of other cases would yield similar results, in other words, evidence of further human rights violations. The enormous quantity and variety of allegations and complaints received from very diverse sources, even allowing for the fact that they may contain errors or exaggerations, provide a credible factual basis for the belief that human rights violations occur frequently in the country and that government action to prevent and remedy such violations has not been sufficient to put an end to them. We do not have the information to judge what might be their common denominator. This explains the fear shown by independent citizens who, when they talk, try to conceal their identity and what they really think, and the uncertainty felt by private individuals and senior officials alike, which makes them extremely cautious about expressing their opinions and about how they act in general.

291. The above observations all point to the same conclusion: that it is both useful and appropriate that international monitoring by the competent United Nations organs with a view to ensuring compliance with international human rights instruments in the Islamic Republic of Iran should continue, that efforts should be made to ensure the uniform and proper application of the appropriate norms, and that a climate of confidence and legal and political security in which people can exercise their individual rights without adverse consequences should be promoted.

Notes

1/ E/CN.4/1990/24.

2/ E/CN.4/1989/26.

3/ Ibid.

4/ E/CN.4/1990/24.

APPENDIX I

Names and particulars of persons allegedly executed in the Islamic Republic of Iran, supplementary to the lists contained in previous reports of the Special Representative

Surname	Name	Date	Place
A'yar	Ali Fathe		Babol
Abbas-Ali	Ravanipoor	05.02.1981	
Abedini	Esmaiel	1981	
Abrandi		1988	Evin prison
Adibi	Mahmoud	1984	
Afsari	Ali	1982	
Afshar	Masaumeh		
Afshari	Ezat	1981	
Afshari	Ali		
Aghaei	Hamid	1982	
Aghai	Ahad	01.1990	
Ahmad Pour	Mohammad		Birjand
Ahmadi-Nejad	Saeed	1989	
Ahmadi-Nezhad	Saed	1989	
Ahmadian	Bizhan	1985	Babol
Ahmady	Khosrow	1981	
Ahmady	Fariba	09.1988	
Ahmady	Mohammad	09.1988	
Ahmady	Farahnaz	09.1988	
Ahmady	Mansour	09.1988	
Ahrari	Leyla	1981	
Aimyari	Abdolmajid	1988	
Akbarzad-Yousefi	Nasser	1981	Tabriz prison
Alami	Mahnaz	08.1981	
Alamzadeh	Batoul		
Alemi	Mohammad-Reza	1981	
Alemi	Mohammad-Hadi	1981	
Ali	Seyed	01.1990	

/...

Surname	Name	Date	Place
Ali-Nejad	Abdolghader	25.07.1988	
Alian-Nezhad	Mehri		Bandar-Gaz
Alidoust	Masoud	1988	
Alipour	Hosein	19.02.1990	Sabzevar
Ameli	Ali	1982	Evin prison
Amendi	Vahid Mohammadi	19.02.1990	Tehran
Amin	Saleh		
Amirapanahi	Hossin		Evin prison
Amiri	Abdollah	19.02.1990	Karaj
Anari	Ali Asghar	1981	
ArakSadeghi	Balakhan	19.02.1990	Arak
Ashar	Akbar Esna	1988	
Ashrafi	Maryam Sadrol	1981	
Ashtari	Mehrad	08.1987	
Ashtiyani	Sadegh		
Azah	Hamid	1981	
Azimi	Kaveh	08.1989	
Azzani	Farzaneh	1984	
Bahadori	Kianoosh	1983	Mased Soleiman
Bahman	Mashalah	1981	
Bahrami	Ahmad	19.02.1990	Boushehr
Bakhshali	Mehdi		
Bakhtiari		04.1990	Sanandaj
Banafsheh	Ali Ousati	1989	
Barash	Mohsen	1983	Tonekabon
Baseri	Ali	1982	Tehran
Bashiri	Mansour	19.02.1990	Tehran
Bazargan	Bijan	09.1988	
Bazazan	Hossin	1981	
Behdarvand	Parvin	1982	
Behnani	Assadolah	1983	Tehran
Belivand	Kumars	1982	

Surname	Name	Date	Place
Birany	Ali Reza	1981	Ardbil city
Bladi	Rogheyeh	15.12.1983	
Bolur-Forush	Mehdis	04.1990	Sanandaj
Bordbari	Ali	1984	
Bordbari	Reza	1984	
Borghei	Mehdi		
Chegini	Hassan		
Cheragh-Disi	Jamal	04.1990	Sanandaj
Dadgar	Esmaeel	1983	Esfahan
Dahangiri	Yafar	12.1988	
Danesh	Mohammad-Amin	12.01.1986	Iranshahr
Darabi	Sayeed	1981	Moshar
Darabi	Saman	1982	Hamedan
Darabi	Mehrdad	1989	Boroujerd
Darvishi	Mahmoud		
Daryaii	Mohammad-Hosein	1988	
Dehchi	Nader	19.02.1990	Tehran
Dehghan	Gita	1981	
Derakhanfar	Mehrdad	08.1989	
Dinkhah	Hamid	1988	Ourmieh
Doulatabadi	Mahmoud	1984	
Dowlat-Abadi	Mohammad-Darab	19.02.1990	Arak
Dowlatzehi	Besmellah	19.02.1990	Tehran
Ebrahim-Abadi	Salatin	19.02.1990	Sabzevar
Ebrahimi	Azizollah	1989	Boroujerd
Edulati	Parviz	1981	Tehran
Eezad-Khah Kermani	Massoud		
Eliasi	Nemat		Tonekabon
Esfahanian	Mojgan	1981	Evin prison
Esmaieli	Javad		
Etemadi	Tazzebeh	1989	Evin prison
Fadaii	Mohammad		Meshed prison

Surname	Name	Date	Place
Fadee	Jamshid		Masjed Soliaman
Fadee	Mehrdad		Masjed Soliaman
Fanny	Ebrahim	1981	
Farahmand	Mohammad	1988	Adelabad prison
Farahmandian	Javad	1981	
Farahmandian	Esmat	1981	
	Farhad	1988	
Farhangi-Sabet	Katayoun	19.02.1990	Sari
Fat'Hi	Nader	04.1990	Sanandaj
Gaffarian	Iray	1983	
Ghafoury	Mohammad Sadegh	19.09.1981	
	Golzadeh		
Ghajar Azdonloo	Masomeh	10.1982	
Ghanamati	Mostabah	1989	
Ghavami	Mousa	1988	
Gholam Reza	Klakjory	1988	
Golijan-Moghadam	Fardin	1984	Tonekabon
Golijan-Moghadam	Ali	1984	Tonekabon
Golzar	Gholamossein	02.1990	
Golzar	Gholamhassan	02.1990	
Gorbani	Hussein	1981	
Goreishi	Saman	1981	Bandar, Abbas
Hadadan	Isa	1983	Zanjan city
Haddadi	Mohammad-Saiid	1988	
Hadidi	Arya	07.1981	
Hadipour	Babak	1981	
Haffari	Ali-Akbar	19.02.1990	Tehran
Haj-Mohsen	Hosein	1988	
Hamini	Daryoush		
Hamzeii	Ali	19.02.1990	Arak
Hariry	Majid	1981	Rasht
Hariry	Massoud	1982	Evin prison

Surname	Name	Date	Place
Hariry	Shohreh	1981	Rasht
Hariry	Mansoor	1988	Gohar-Dasht
Hassani	Mahmoud		
Hassani	Ahmad		Birjand
Hassein	Azimi		Birjand
Hayati	Tazzebeh	1989	Evin prison
Hedayati	Zia		Qahaem Shar
Heidari	Jorsumeh		
Hejatalah	Gholamy	1984	
Hematti	Mashaa'llah		Hamedan
Heydar-Fakouri	Seyyed	19.02.1990	Sabzevar
Hojabre	Cyrous	1981	Suary
Hojabre	Seemin	1981	Tehran
Hoseini	Ai	27.03.1988	
Hoseini	Farideh	25.07.1988	
Hossaini	Hossain		
Hossein	Mohammad	08.1981	
Hosseinpour	Hossein	06.1981	
Hosseinzadeh-Arabi	Susan	14.09.1989	City of Rasht
Hossieni	Seid Saleh	04.1990	Sanandaj
Hydasi	Amir	06.09.1981	
Izadshenas	Mehdi		
Jabarzadeh	Rasoul	1988	
Jafari	Mehdi	1985	
Jahan-Biglari	Kamyar	1981	
Jahangiri	Mohammed-Gholi	1981	
Jahangiri	Abolgasem		
Jahangiri	Mahin	1981	Semiron
Jahanian	Hamid	1981	Evin prison
Jahanshahi	Seyed Gholam Reza		
Jalal	Layghy	1984	
Jalali	Naser	04.1990	Sanandaj

Surname	Name	Date	Place
Jalisi	Mehidael		
Javan	Vahid Kaki	1982	
Javani	Fridon	1985	Evin prison
Javazadeh	Ali		
Kaikavousi	Farideh		
Kaissi	Abbas	28.03.1990	Seistan
Kalangari	Mahmod	10.09.1984	
Kalat-Gharbi	Mohammad-Reza	19.02.1990	Sabzevar
Kargar	Sina		Evin prison
Karimi	Asghar		Ramsar
Katozian	Sadegh		
Kazem	Assadi		
Kha-Kermani	Naahed	09.1981	
Khabbazi	Mostafa		
Khakbaz	Ahmad		
Khakbaz	Ahmad		
Khanian	Reza	02.1990	
Khakbazi	Ahmad		Ghasem-Abad
Khatibani	Mohammad R.	24.05.1984	Soum'e Sara
Kheradmand	Zakieh	1989	Adelbad
Khor	Hosein	1989	Evin prison
Khosravi	Nabiolah	1982	
Kiaie	Massoud		Evin prison
Latif	Mozhgan	1989	Evin prison
Madadi	Hosein	1983	
Madani		1989	Tonekabon
Mahjoub	Mehdi	1988	
Mahmodi	Aref	1988	Adel Abad
Mahmoudi	Abbas-Ali	19.02.1990	Tehran
Makvandi	Mahmood	20.06.1981	
Makvandi	Bijan	1988	
Maleki	Maryam	1988	

Surname	Name	Date	Place
Maleki	Jamshid		Aligoudarz
Maradi	Ghavam	1982	
Marandi	Hasan Jafarzadeh	12.1981	Vazin Gaid
Marzban	Fahimeh	1981	
Mashkouri		1989	Ramsar
Mashoüf	Javad	1988	
Masoumi	Hamid-Reza	1989	Boroujerd
Massoumi	Mahmoud	1985	
Mazji	Bahieh	1988	
Mehrizi	Ghassem		
Meshkinfam	Shokrollah	1981	Mash
Meshkinfam	Shokrollah	1988	
Meshkini	Sedigeh	1982	
Mir-Arab	Amir	1988	
Mofarrahi	Saeed	1984	Khoy
Mogharrabian	Parvaneh		Bandar-Gaz
Moghrazi	Ali		Birjand
Mohamadi	Ahmad	04.1990	Sanandaj
Mohamedi	Akber	1981	
Mohammadi	Abdollah	19.02.1990	Bakhtaran
Mohammadian	Reza	1989	Tonekabon
Mohkami	Ali Asgar	13.10.1982	
Mohseni	Ali Reza		
Moini	Mohammed		
Mojaher	Ali		
Mojtabaie	Fakhri	1988	
Molavi	Jalal		Hamedan
Moradi	Masoud		Masyide-Soleiman
Moradi	Ali Ashraf	04.1990	Sanandaj
Morsaley	Jaffar	1981	
Morshed	Ali	19.02.1990	Sabzevar
Mosanna	Ali	19.09.1981	

Surname	Name	Date	Place
Motaghi-Talab	Amir	1983	Rasht
Motahayeri	Mansour		
Motahhedin	Saeed	03.08.1981	
Mousavi	Enayatollah	19.02.1990	Tehran
Moussavi	Hashem Madadi		
Murteza	Lebas	1984	
Mussavi	Mohssan	1981	Sarri
Naddafian	Iraj	1989	Ramsar
Naderi	Manouchehr		Evin prison
Naderi	Ziaoddin	1988	
Najjaran	Ebrahim	1988	Gohardasht
Najjarian	Ali-Reza	19.02.1990	Boushehr
Namvar	Sgagruar	1984	Tonekabon
Naroui	Mohammad K.	28.01.1990	
Narouyi	Houshang	19.02.1990	Tehran
Nasser	Bararіy	1984	
Nassirian	Zari		
Nazari	Abdol Mohammed		
Nazarzadeh	Mohammad Hosein	1984	
Nazemi	Zahra	1988	
Negarestani	Javad	19.02.1990	Kerman
Negarestani	Mashaallah	19.02.1990	Kerman
Nemati	Moussa	19.09.1988	
Nemovi	Abbas	01.1984	
Nilou	Akbar	02.09.1981	
Othman Pour	Mohsen	04.1990	Sanandaj
Pahlevandoo	Mohammad Rezh	1982	Mashhad
Parrar	Ahmar		
Parsiana	Majid		
Parvaneh	Abolghasem	1981	Ramsar
Parvizi	Ahmad	04.1990	Sanandaj
Pastegar	Reza		

Surname	Name	Date	Place
Peerhadi	Hossin	1982	Evin prison
Piri	Ali	19.02.1990	Tehran
Poladi	Hadi	1988	
Qadaksaz	Rahim		
Rafati-Mogadam	Nahid	01.1982	Tehran
Rafati-Mogadam	Hanen	1984	
Rafeie	Mohammad	19.02.1990	Arak
Rahim	Saide	1981	
Rahimi	Ahmad	1981	Ramsar
Rahimian		1981	Ramsar
Rahimian		1981	Ramsar
Rahimian		1981	Ramsar
Rahmani	Ezatollah	19.02.1990	Karaj
Rahmati	Marzieh	09.09.1988	
Rajabi	Massoud	07.1982	
Rajai	Ali Reza	1989	Gohar Dasht
Rajavi	Nasrim		
Ramshani	Astollah		
Ranjbar	Mohammad	19.02.1990	Rasht
Ranjbaran	Amanollah	1982	Evin prison
Ranjbaran	Amanollati	1982	Evin prison
Ranjbaran	Aman-Allah	07.08.1981	
Rashed-Marandi	Fariba		
Razhi	Ahmad-Janghi	28.03.1990	Seistan
Reza	Falanik	1984	
Rezai	Sardar	1985	Evin prison
Rezai	Fazed		
Rezaie	Yarali		Qorgan
Rezaiian	Behrouz	1988	
Roknama	Afagh	1989	Evin prison
Roudgari	Ezzat		
Roudgari	Nemat		

Surname	Name	Date	Place
Roya		04.1990	Sanandaj
Rozaii	Mohamad	04.1990	Sanandaj
Sadaghi	Hasan	1988	
Sadegh	Mohammad		
Sadeghi	Balakhan	19.02.1990	Arak
Sadeghi	Rahman		
Sadeghi	Jamshid	1989	Tonekabon
Sadeghi	Yousef	1981	
Sadeghpour	Hamed		Birjand
Sadehgi	Parvin	1981	North
Sadigh	Habib	1989	Ramsar
Safaran	Mohsen	1983	Evin prison
Safatian	Hosein	1989	Ramsar
Saferi	Khamran	1988	Gohar Dasht
Saferi	Gholam		Gohar Dasht
Saffaran	Hassan		
Saffaran	Hassan	11.1989	
Safiden	Namor	1984	
Saghar	Massoud	1985	
Salali	Saeed	04.1985	
Samad-Nosrati	Hosein	19.02.1990	Qom
Sedaghat	Mohamadtaghi	1988	
Seyedi	Majid		
Shaabani	Fraidoon	15.04.1984	Adel Abad
Shademani	Sosan	1981	Rasht
Shah-Abadi	Mahin	19.02.1990	Tehran
Shah-Mansouri		1981	Ramsar
Shahi	Ali Reza Shahroukh	1984	
Shamsin Isfahan	Syavoush	1981	Bandar, Abbas
Shapor	Irantalap	1984	
Shariati	Anvar	04.1990	Sanandaj
Shekarnezhad	Washaallah		

Surname	Name	Date	Place
Shirmohammedi	Davood	1989	Evin prison
Shirvani	Shiva		
Shojaie	Nasrin	1988	Sfahan jail
Shojaie	Mehran		
Shokraneh	Sorraya	1981	
Sobhani	Naser	04.1990	Sanandaj
Soleimani	Ali-Asghar		Aligoudarz
Sotoudeh	Tahmineh	1989	Evin prison
Sulemani	Nozrat	1981	
Suliki	Behruz	1981	Semiron
Taati-Asil	Masoud	1988	Evin prison
Taavoni-Ganji	Amir	11.1989	Evin prison
Tadainia	Homan	1981	
Taherpour	Bahram	1988	
Tajalli	Hossein	1982	
Tashayyod	Ali Reza	1988	Tehran
Tasslimi	Abdolfazl	1981	
Tavakol	Mohesn	1984	
Tavanian	Mariam	1989	
Tazehkandi	Ali Reza	01.1990	
Teherani-Pour	Hosein	1989	Karaj (Gohardasht)
Torabi	Farah	08.1982	Evin prison
Torkpour	Gholam R.	1988	
Vahabi	Farah	1989	Evin prison
Valizadeh	Habib	08.1988	Rasht
Vedadinya	Habibollah	19.02.1990	Tehran
Vosoghian	Mehdi	06.1981	
Yeganegi	Mehdi	06.1981	
Yelivand	Ali		
Yosof	Feizola	1983	Shiraz
Yousef-Taleshi	Narollah	1981	Ramsar

Surname	Name	Date	Place
Zakeri	Mostafa	1981	Tehran
Zandi	Reza	08.1981	
Zeinali	Jahangir		

APPENDIX II

List of prisoners handed to the Deputy Minister of Foreign Affairs on 9 October 1990

The Special Representative requested to receive information on the fate or whereabouts of the following prisoners:

1. Jamshid Amiri-Bigvand
2. Bahman Agahy
3. Hooshang Amjadi Bigvand
4. Ardeshear Ashraf
5. Manochehr Azar
6. Masoud Deadehvar
7. Kyanoosh Hakeamy
8. Bahram Ikany
9. Heshmatolah Magsoody
10. Gahraman Malekzadeh
11. Masoud Payaby
12. Ali Reza Nasiri
13. Noureddine Kianouri
14. Meriam Feirouz
15. Jamshid Torabi
16. Ahmad Rashed-Marandi
17. Reza Arbabi
18. John Pattis
19. Mohamadreza Sedaghat
20. Addol Ali Bazargan
21. Ezzatollah Sahabi
22. Reza Sadr
23. Hussein Bani Assadi
24. Shams Shahshahani
25. Nour Ali Tabandeh
26. Yadollah Chamse Ardallan
27. Ali Ardalan
28. Rochan Ardalan
29. Farhad Behbahani
30. Abbas Ghaem Sabahi
31. Khossro Mansourian
32. Hashem Sabaghian
33. Ezatollah Hamed Sahabi
34. Mohammad Tavassoli
35. Akbar Zarrinehbaf
36. Habib Davaran
37. Naim Pour
38. Amir Tavakol Ebrahimi
39. Hossein Shah Hosseini
40. Nezamedine Movahed
41. Mahmoud Maleki

42. Hormoz Momayezi
43. Said Sadr
44. Hamid Sadr
45. Khosrow Parsa
46. Ahmad Shayegan
47. Mahmoud Habibi
48. Shahin Parsa
49. Azar Sadr
50. Davoud Mir Rahimi
51. Mrs. Zamani
52. Mr. Jafarpour
53. Ahmad Rohdaki
54. Khalil Ghiassi
55. Davoud Moyafar
56. Mohammad Aminal Reaya
57. Nader Afshari
58. Dr. Assadi
59. Manouchehr Motahari
60. Norouz Naghizadeh
61. Ahmad Bastan
62. Mohammad Dehghán
63. Hussaingholí Roshanzamir
64. Bakhshullah Missághí
65. Kayván Khalajábádí
66. Behnám Missághí
67. Azízullah Mahjoor
68. Habibulláh Hakímí
69. Náder Rouhaní
70. Badíulláh Sobhání
71. Dr. Mitra Ameli
72. Dr. Fatemeh Izadi
73. Ms. Fatemeh Hosseinzadeh-Tussi Moghadam (known as Giti Azareng)
74. Ms. Malakeh Mohammadi
75. Ms. Zohreh Ghaeni
76. Ms. Nahid Dorudiahi
77. Ms. Fatemeh (Zohreh) Sadigh Tonekaboni
78. Ms. Hura Fuladpour
79. Ms. Manijeh Riasi
80. Ms. Afsaneh Khavar
81. Ms. Mahboubeh Kohzadi
82. Ms. Mahin Khosravi
83. Mr. Roger Cooper
84. Mr. Ahmad Rezaire Fard
85. Ms. Monir Khosroshahi-Baradaran
86. Ms. Farideh Mahmood Mohammad Zamani
87. Mr. Framarz Mahmood Mohammad Zamani
88. Mr. Farsheed Mahmood Mohammad Zamani
89. Mr. Amir Houshang Kamrani
90. Mr. Mansour Taheri

91. Ms. Maryam Taleghani
92. Mr. Bahram Alai-Khastou
93. Mr. Seyedmehdi Nasry
94. Ms. Sakineh Sedaghat
95. Mr. Ali Sedaghat
96. Mr. Abbas Raini
97. Mr. Ezatollah Sahabi
98. Ms. Narges Akbari-Namdar
99. Mr. Rahim Akbari-Namdar
100. Ms. Jamileh Akbarzad-Yousefi
101. Dr. Bozoo Bagha'i
102. Mr. Esmail Movassaghian
103. Mr. Faramarz Ahmadian
104. Mr. Saeed Taati-Asil
105. Ms. Faezeh Sabet-Jahromi
106. Mr. Ebrahim Nebahat
107. Mr. Mohammad-Taghi Rahimpour
108. Mr. Rajab Bayram-Zadeh
109. Ms. Ezzat Habibkhani
110. Ms. Mahim Towfighi
111. Ms. Shahrzad Mahdavi
112. Ms. Farkhondeh Zanjanpour
113. Ms. Sousan Gorji-Sefat
114. Ms. Lilik Hakoopian
115. Ms. Fatema Shafii
116. Ms. Akhtar Tahmasbi
117. Ms. Mahin Batmani
118. Ms. Shokoofeh Ali-Gholi
119. Ms. Farkhondeh Tagharsi
120. Ms. Mahin Ghaffari
121. Ms. Sadigheh Ahoumoshk
122. Ms. Sadigheh Hashemi
123. Ms. Nasrin Salimi-Badr.
124. Ms. Shina Jahan-Zad
125. Ms. Maryam Nouri
126. Ms. Mehri Salami
127. Ms. Maryam-Banou Sepehri Rahnema
128. Ms. Minou Naseri
129. Ms. Mina Vatanpour
130. Ms. Mahvash Keshavarzi
131. Ms. Mansoureh Ghanbarpour
132. Ms. Bahareh Taghanian
133. Mr. Ghadam Khayyer-Nasiri
134. Ms. Shahin Samii
135. Ms. Shahla Talebi
136. Ms. Maryam Ghazi
137. Ms. Razieh Ghoreishi
138. Ms. Homa Ipikchi
139. Ms. Taheri Samadi
140. Ms. Katazoun Baghaii

141. Ms. Parivash Torshizian
142. Ms. Mahdokht Hashemi
143. Ms. Esmaieli Afrasiab
144. Mr. Mehdi Knosh Slook
145. Ms. Mehri Knosh Slook
146. Mr. Khalid Ali Karimi
147. Ms. Mona Abdi
148. Ms. Narges Ghanbari
149. Mr. Mohammad Hassan
150. Mr. Tofygh Setayeshi
151. Mr. Ali Reza Sadeghi
152. Mr. Davod Azizy
153. Mr. Mohammad Tala Poor
154. Mr. Homaoun Najafi
155. Mr. Norasc Karami
156. Mr. Sanjabe Asghar
157. Mr. Atahay Ali Reza
158. Mr. Sandabi Hamid
159. Mr. Mohsen Farin
160. Mr. Parvin Farzin
161. Mr. Mohammad Mehdi Bladi
162. Mr. Lebas Murteza
163. Mr. Layghy Jalal
164. Mr. Falanik Reza
165. Mr. Gholamy Hejatalah
166. Mr. Irantalap Shapor
167. Mr. Ammary Mahmed
168. Mr. Barariy Nasser
169. Mr. Namor Safiden
170. Mr. Mohamad Salihi
171. Mr. Hasan Asady
172. Mr. Rohalah Ramazani
173. Mr. Jafar Trabparhizi
174. Mr. Adel Saiidi
175. Mr. Iraj Kafashpour
176. Mr. Mahdokht Mohamadi Yadeh
177. Mr. Mahmoud Akbari
178. Mr. Lotfali Mir Sorow
179. Mr. Panahandeh Mohammadi
180. Mr. Mohsen Mohammadi Zadeh
181. Mr. Ali Reza Babel
182. Mr. Mahmoud Faroukh Manesh
183. Mr. Reza Hausheki
184. Mr. Mahmood Bakshai
185. Mr. Gram Rondari
186. Mr. Ali Reza Masondifar
187. Mr. Mohammadali Morshedi
188. Mr. Mahmood Tajgardan
189. Ms. Zahra Felahati
190. Mr. Morteza Ghadiyani

191. Mr. Gholam Reza Mirzani
192. Mr. Jawad Ramany
193. Mr. Kamel Nadery
194. Mr. Kazem Karimabadi
195. Mr. Souhrab Afhady
196. Mr. Farokh Djonaidie
197. Mr. Ghasem Daryabaghi Azad
198. Mr. Ali Hessaraky
199. Mr. Davoud Rezaie
200. Mr. Shahab Nouzary
201. Mr. Mohamad Shajerdi
202. Mr. Mohammad Taghi Rahimpour

APPENDIX III

Official programme of the second visit of the Special Representative

Tuesday, 9 October 1990

0015 - Arrival at Tehran Airport and reception by Mr. M. Mottaki, Deputy Foreign Minister for International Political Affairs and high officials of the Foreign Ministry

1030 - Meeting with Mr. M. Mottaki, Deputy Foreign Minister for International Political Affairs

Wednesday, 10 October 1990

0930 - Meeting with Hojatolislam A. Fallahian, Minister of Intelligence

Thursday, 11 October 1990

0900 - Meeting with Hojatolislam Zargar, Special Prosecutor for Narcotic Drugs

1600 - Meeting with the Deputy Minister of the Interior and the Commission on Article 10 of the Constitution

Saturday, 13 October 1990

0900 - Visit to Evin prison (hearing of prisoners)

1600 - Meeting with the Deputy Minister of Culture and Islamic Guidance

Sunday, 14 October 1990

0900 - Attendance at a session of the revolutionary court at Evin prison

1230 - Meeting with Ayatollah Moghtadaei, President of the Supreme Court

1600 - Meeting with Mr. Badamchian, Political Deputy to the Head of the Judiciary

Monday, 15 October 1990

0830 - Meeting with Ayatollah Yazdi, Head of the Judiciary

1030 - Meeting with Dr. Mehrpour, Judicial Deputy to the Head of the Judiciary

1530 - Meeting with Dr. A. A. Velayati, Minister for Foreign Affairs

1700 - Final meeting with Mr. M. Mottaki

APPENDIX IV

List of prisoners whom the Special Representative requested to see during his second visit

1. List given to the authorities on 9 October 1990

Names	Reasons given by the authorities for not being able to present the prisoner to the Special Representative
Mr. Jamshid Amiri-Bigvand	
Mr. Bahman Agahy	
Mr. Hooshang Ahmadi Bigvand	
Mr. Noureddine Kianouri	
Ms. Meriam Feirouz	
Mr. John Pattis	
Mr. Addol Ali Bazargan	Visit not authorized by prosecutor
Mr. Hussein Bani Assadi	Visit not authorized by prosecutor
Mr. Shams Shahshahani	Visit not authorized by prosecutor
Mr. Nour Ali Tabandeh	
Mr. Ali Ardalan	
Mr. Farhad Behbahani	
Mr. Mohammad Tavassoli	Visit not authorized by prosecutor
Mr. Hossein Shah Hosseini	
Mr. Davoud Mir Rahimi	Visit not authorized by prosecutor
Mr. Hussaingholí Roshanzamir	Detained at Arak on smuggling charges
Mr. Kayván Khalajábádí	Detained in Karaj
Mr. Habibulláh Hakímí	Released from prison of Shivar
Mr. Badíulláh Sobhání	
Ms. Mitra Ameli	On leave on 11 Aug. 1990 and was released on 25 Sept. 1990
Ms. Fatemeh Izadi	On leave from 21 Aug. 1990 for 2 months
Ms. Fatemeh Hosseinzadeh-Tussi Moghadam (known as Giti Azareng)	On leave from 18 July 1990 for 85 days
Ms. Malakeh Mohammadi	On leave
Ms. Zohreh Ghaeni	On leave from 11 Aug. 1990 for 70 days
Mr. Roger Cooper	Visit not authorized by prosecutor
Ms. Sakineh Sedaghat	

2. Additional list given to the authorities on 13 October 1990

Names	Reasons given by the authorities for not being able to present the prisoner to the Special Representative
Mr. Ezzatollah Sahabi	
Mr. Khossro Mansourian	
Mr. Hashem Sabaghian	Visit not authorized by prosecutor
Mr. Hormoz Momayezi	Visit not authorized by prosecutor
Ms. Maryam Taleghani	Visit not authorized by prosecutor
Mr. Amir Entezam	Visit not authorized by prosecutor

APPENDIX V

List provided by the Government of executions carried out between the beginning of the current Iranian year (21 March 1990) and the second visit of the Special Representative

No.	Name	Father's name	Crime	Place	Date of execution
1.	Morad Davari	Hashem	Premeditated murder	Arak	27.03.1990
2.	Esmatollah Azizi	Valiyollah	Idem	Arak	27.03.1990
3.	Abbas Azizi	Hojatollah	Idem	Arak	27.03.1990
4.	Abbas Raiesi	Darav	Spying for Iraq	Zahedan	29.03.1990
5.	Ahmad Ahmad Jangi-Zerehi	Jaksem-Dad	Idem	Zahedan	29.03.1990
6.	Gol-Mohammad Ghanbarzehi	Rahmat	Armed rebel	Zahedan	05.04.1990
7.	Davoud Ghanbar-Zehi	Ilam	Idem	Zahedan	05.04.1990
8.	Abbas Mohammad-Hoseini	Foreign national	Armed robbery and rape	Roudehen	-
9.	Hosein-Ali Khademi	Foreign national	Idem	Roudehen	-
10.	Nader Ghanbari	Foreign national	Idem	Roudehen	-
11.	Aziz-Ali Moradi	Ali	Premeditated murder and kidnapping	Bakhtaran	12.04.1990
12.	Farzi Ghanbari-Nezhad	Jam	Idem	Bakhtaran	12.04.1990
13.	Borzou Asgari	Jam	Murder and robbery	Mianeh	15.04.1990
14.	Bahman Heydari	Jam	Idem	Mianeh	15.04.1990
15.	Hosein-Jan Pashouneh	Jam	Murder	Khorram-Abad	26.04.1990
16.	Khan-Ali Narouie	Madad	Activity against the security of the country, co-operation with armed rebels and drug traffickers, participation in armed conflict which resulted to martyrdom of military and non-military forces.	Zahedan	26.04.1990
17.	Aziz Narouie	Zeydar	Idem	Zahedan	26.04.1990
18.	Akhtar-Ameh Narouie	Ismaiel	Idem	Zahedan	26.04.1990
19.	Golshah Narouie	Karim	Idem	Zahedan	26.04.1990
20.	Hosein Sedaghat		Murder	Borazgan	30.04.1990
21.	Enayat Saghzehi	Ezzatoddin	Participation in transport of 2 kg of heroin	Zahedan	30.04.1990
22.	Habibollah Arbab-Zehi	Feyz-Mohammad	Participation in transport of 10 kg and 30 gr of heroin	Zahedan	30.04.1990

/...

No.	Name	Father's name	Crime	Place	Date of execution
23.	Ghodous Ghaljaii	Ali-Mohammad	Importing 3 kg and 200 gr of heroin and 1 kg hashish and selling 960 gr of heroin	Zahedan	30.04.1990
24.	Naiim Khajeh	Feyz-Mohammad	Idem	Zahedan	30.04.1990
25.	Abdol-Aziz Lili-Maryam	Shirak National of Aghanistan	Rape	Lavasanat	05.05.1990
26.	Khalil Mirzaii		Planting a bomb in Akhi-Jaman mosque and killing Hojatol-Eslam Fakhr-Banati	Azarshahr	06.05.1990
27.	Kourosh Hesari	Jamshid	Kidnapping a child (girl) and adultery	Eslamshahr	09.05.1990
28.	Ali-Reza mard-Azad	Esrafil	Murder	Tehran	09.05.1990
29.	Asadollah Safi	Gholam-Avaz	Drug trafficking, transport, distribution and production of hundreds of kilograms of drugs	Shiraz	22.05.1990
30.	Abdolrahman Safi	Abdol-Ejan	Idem	Shiraz	22.05.1990
31.	Fez-Mohammad Majidi	Abdol-Majid	Idem	Shiraz	22.05.1990
32.	Abdol-Khalegh Safi	Khalil	Idem	Shiraz	22.05.1990
33.	Gholam-Mohammad Nour-Mohammad	Sarnoud	Idem	Shiraz	22.05.1990
34.	Gholam-Sanmi Moradi	Khalil	Idem	Shiraz	22.05.1990
35.	Ali-Baz Mahbouri	Azad	Idem	Shiraz	22.05.1990
36.	Jahan-Shah Zarreh-Poush	Nashie	Idem	Shiraz	22.05.1990
37.	Tavakol Zarreh-Poush	Nashie	Idem	Shiraz	22.05.1990
38.	Mahmoud Asiri	Aziz-Gholi	Idem	Shiraz	22.05.1990
39.	Abbas Esteli	Hasan	Idem	Shiraz	22.05.1990
40.	Mostafa Mansouri	Mohammad-Ali	Idem	Shiraz	22.05.1990
41.	Saedollah Ismaiel Pour-Atashi	Fathollah	Idem	Shiraz	22.05.1990
42.	Jafar Shekari	Majid	Murder	Tehran	22.05.1990
43.	Allah-Morad Safari	Kaka-Morad	Murder and armed robbery	Mianeh	22.07.1990
44.	Khedmat-Ali Anghouti	Agha-Jan	Idem	Mianeh	22.07.1990
45.	Jebreil Joudi	Mahmoud	Idem	Mianeh	22.07.1990
46.	Jahangir Ghanizadeh	Ebrahim	Premeditated murder	Tehran	29.07.1990

/...

No.	Name	Father's name	Crime	Place	Date of execution
47.	Hamid Abnous	Ebrahim	Kidnapped and raped 8 girls who were between 6 and 8 years old	Qom	11.08.1990
48.	Saeed Roshanaii	Yadollah	Idem	Qom	11.08.1990
49.	Seyfollah Mohammadi	Ramazan-Ali	Kidnapping and rape	Najaf-Abad	13.08.1990
50.	Esmaiel Ahmadi	Ebrahim	Idem	Najaf-Abad	13.08.1990
51.	Masoud Sourani	Hosein	Idem	Najaf-Abad	13.08.1990
52.	Rahman Habibollahi	Yadollah	Idem	Najaf-Abad	13.08.1990
53.	Gholam-Hosein Jozi	Mohammad	Idem	Najaf-Abad	13.08.1990
54.	Morteza Shafiyan	Ragab-Ali	Idem	Najaf-Abad	13.08.1990
55.	Gholam-Abbas Khosravi	Hosein-Ali	Idem	Najaf-Abad	13.08.1990
56.	Hogat Habibi		Murder of Majid Nasiri	Tehran	14.08.1990
57.	Nader Zandi	Amir-Morad	Murder of Hasan Ahmadi-Pour	Tehran	17.08.1990
58.	Hosein Ghazvini		Murder of Mihan Masoudi	Arak	17.08.1990
59.	Mehdi Khaleghi	Gholam-Hosein	Importing, buying, selling, distributing more than 30 kilograms heroin and 5 kilograms opium. Some of them were members of a drug-trafficking band which imported drugs from Afghanistan with armed convoys.	Mashad	05.09.1990
60.	Mouwla Bajerat	Heydar	Idem	Mashad	05.09.1990
61.	Abdollah Narouii	Jaman	Idem	Mashad	05.09.1990
62.	Nour-Ahmad Narouii	Gol-Mohammad	Idem	Mashad	05.09.1990
63.	Ali-Reza Abedi	Mohammad	Idem	Mashad	05.09.1990
64.	Mowla Pouya	Parviz	Idem	Mashad	05.09.1990
65.	Mohammad Bashtanya	Sahibdad	Idem	Mashad	05.09.1990
66.	Ali-Khan Touzdeh	Ramazan	Idem	Mashad	05.09.1990
67.	Mashallah Sarhadi	Foulad	Idem	Mashad	05.09.1990
68.	Mortez Rajabzadeh	Mostafa	Idem	Mashad	05.09.1990
69.	Gol-Mohammad Azadi	Shir-Mohammadi	Idem	Mashad	05.09.1990
70.	Nour-Mohammad Hasan-pour	Ramazan	Idem	Mashad	05.09.1990
71.	Golam Reza Fathirounji	Ali	Idem	Mashad	05.09.1990
72.	Mohammad Ali Barati	Barati-Ali	Idem	Mashad	05.09.1990

/...

No.	Name	Father's name	Crime	Place	Date of execution
73.	Mohammad Nowrouz Zehi	Afzal	Idem	Mashad	05.09.1990
74.	Ramazan Karizi	Jahangir	Idem	Mashad	05.09.1990
75.	Ebrahim Karimi	Karim	Idem	Mashad	05.09.1990
76.	Naser Nazari	Nasrollah	Idem	Mashad	05.09.1990
77.	Gholam-Reza Shams-Talab	Gholam	Idem	Mashad	05.09.1990
78.	Reza Farsi	Gharekhan	Idem	Mashad	05.09.1990
79.	Gholam-Reza Parsi	Mohammad	Idem	Mashad	05.09.1990
80.	Ebrahim Nour-Mohamad		Idem	Mashad	05.09.1990
81.	Ahmadshah	Ata-Mohammad	Idem	Mashad	05.09.1990
82.	Mohammad Hossein	Gholman	Idem	Mashad	05.09.1990
83.	Gol-Mohammad	Nour-Mohamad	Idem	Mashad	05.09.1990
84.	Habibollah	Nourri	Idem	Mashad	05.09.1990
85.	Jomeh Gol-dousti	Najmoddin	Idem	Mashad	05.09.1990
86.	Habibollah	Feyzollah	Idem	Mashad	05.09.1990
87.	Ali-Valad	Ziaoddin	Idem	Mashad	05.09.1990
88.	Seyyed Raouf	Seyyed Abdollah	Idem	Mashad	05.09.1990
89.	Mohammad-Karim Akram	Mahmoud	Idem	Mashad	05.09.1990
90.	Mohammad	Abdol-Ghafour	Idem	Mashad	05.09.1990
91.	Rabeh-Ben	Allahverdi	Idem	Mashad	05.09.1990
92.	Ismaiel	Joudou	Idem	Mashad	05.09.1990
93.	Rasoul-Afghan	Zaer	Idem	Mashad	05.09.1990
94.	Khada-Nazar	Igenbordou	Idem	Mashad	05.09.1990
95.	Abdollah	Karvan	Idem	Mashad	05.09.1990
96.	Abdollah	Moulan	Idem	Mashad	05.09.1990
97.	Sarvar	Feyz-Mohammad	Idem	Mashad	05.09.1990
98.	Gholam Sarvarongy (nicknamed as Sha-Gholam)				
99.	Zarifollah	Tajik	Idem	Mashad	05.09.1990
100.	Habibollah Madadi	Rahmat	Idem	Mashad	05.09.1990
101.	Mohammad-Ebrahim	Douran	Idem	Mashad	05.09.1990
102.	Kherad-Nazar	Jomeh-Morad	Idem	Mashad	05.09.1990

/...

No.	Name	Father's name	Crime	Place	Date of execution
103.	Njib	Maghsoud	Idem	Mashad	05.09.1990
104.	Ghyamoddin	Najmoddin	Idem	Mashad	05.09.1990
105.	Khodayar	Dal-Mohammad	Idem	Mashad	05.09.1990
106.	Hedayatollah Alikouzohdi-Danz	Nasrollah (National of Afghanistan)	Buying, selling and distributing drugs	Boushehr	05.09.1990
107.	Abdolghodous Eshagh-Zehi	Mohammad	Idem	Boushehr	05.09.1990
108.	Fereydoun Vafaii	Mohammad	Idem	Zahedan	18.09.1990
109.	Ali-Nazar Mohammad-Samdani	Saleh-Mohammad	Idem	Zahedan	18.09.1990
110.	Zaman-Khan Nouti-Zehi	Mohammad-Nour	Idem	Zahedan	18.09.1990
111.	Nazar-Mohammad Barahouii	Mohammad-Akbar	Transporting and distributing drugs	Zahedan	18.09.1990
112.	Abdolkhalegh Mousa-Zehi	Ali-Shir	Idem	Zahedan	18.09.1990
113.	Ezzat Saeed-Nya	Gholam-Hosein	Transporting 31 kilograms drugs and participating in distributing 7 kilograms of it.		

APPENDIX VI

Government replies concerning cases of execution listed in previous reports of the Special Representative

The names of 2,109 persons allegedly executed cannot be recognized.

137 persons allegedly executed are studying in Iranian universities.

276 names are duplicated in the reports of the Special Representative.

368 names are incomplete and were not found in the Islamic Republic of Iran.

51 persons allegedly executed are working in different organizations of the Islamic Republic.

135 persons have died due to natural causes.

53 persons are terrorists and murderers who were executed in 1981 and 1982. They were sentenced to death by the courts. Unfortunately, most of these individuals were influenced by the deceptive slogans of the rivals of the Islamic Republic of Iran and committed acts of terrorism and destructive activities, including the murder of innocent people.

76 persons allegedly executed achieved martyrdom while confronting the Revolution's enemies.

110 persons were imprisoned because of their opposition towards the Islamic Republic of Iran and were released from prison later on.

57 persons have never been arrested, although the Mojahedin Organisation alleged that they were executed in 1981-1982 and the Special Representative listed them as executed in 1988-1989.

27 persons died in street clashes and clashes with border troops.

86 persons are studying abroad.

62 persons allegedly executed are held as prisoners of war in Iraq.

44 persons are missing in action during the imposed war and unfortunately there is no information about them for lack of cooperation by the Iraqi authorities.

19 persons allegedly executed live and work in Iran.

7 persons had to undergo military service, but in order to escape from this holy duty have sought shelter in foreign countries.

2 persons have been imprisoned for various reasons.

1 person was killed in an armed clash with military forces at the border.

APPENDIX VII

Measures taken by the Amnesty Division of the Judiciary
from 23 September 1989 to 7 October 1990

Number and date of the appeal to the Leader	Amnesty	Clemency measures	Total	Number of persons sentenced to death who benefited from amnesty
1299/68 - 12 Oct. 1989	45	3	48	-
4/480/68 - 6 Dec. 1989	56	35	91	8
4/610/68 - 27 Dec. 1989	139	71	210	-
840/68 - 31 Jan. 1990	113	65	178	-
1080/68 - 6 March 1990	111	32	143	-
1200/68 - 17 March 1990	53	66	119	-
50/69 - 29 March 1990	58	21	79	-
480/69 - 24 April 1990	112	148	260	8
900/69 - 16 May 1990	229	89	318	3
1370/69 - 14 June 1990	286	332	618	-
1720/69 - 30 June 1990	92	55	147	-
1752/69 - 2 July 1990	24	20	44	-
2000/69 - 21 July 1990	929	650	1 579	1
2002/69 - 21 July 1990	178	213	391	1
3080/69 - 4 Sept. 1990	26	69	95	3
3382/69 - 26 Sept. 1990	84	172	256	5
3384/69 - 26 Sept. 1990	50	15	65	-
Total	2 585	2 056	4 641	29

APPENDIX VIII

Circular letter No. 1/7553/9 dated 4 August 1990 by the Head of Judiciary to all judicial units and authorities

On the basis of the report received, some of the courts create impediments for the acceptance of attorney. It is, therefore, notified as follows:

In accordance with principle 35 of the Constitution of the Islamic Republic of Iran, that provides for the right of the parties to a lawsuit to select an attorney in all civil and penal courts, and that stipulates that in case of the inability of the person concerned to select an attorney, the court should arrange for the appointment of an attorney, and with due regard to the decisions No. 15 dated 19 September 1984 and No. 501 dated 9 April 1987 of the General Board of the Supreme Court on the unity of procedures, and in compliance with articles 59 and 69 bis of the law of the civil procedure, and article 11 amended of the law on the establishment of Special Civil Courts, and article 15 of the non-litigious jurisdiction act and its note, and article 309 of the law of the Penal procedure and the note of article 112 of the same law, and article 9 of the law on the establishment of penal courts, and article 34 of the law on legal practice and all other relevant applicable laws, all legal authorities should accept the legal attorneys of the parties to the lawsuit or the accused as prescribed in the law. Such attorneys should be allowed to defend their clients. Besides, where request is made for a public defender or a counsel, necessary arrangements should be made in accordance with above-mentioned legal provisions. In short, all necessary arrangements should be made to make it possible for eligible attorneys to defend their clients.

The violation of the aforementioned regulations shall make the violator liable to disciplinary prosecution and, as the case may be, shall lead to the reversal of the verdict by the Supreme court.

(Signed) Mohammad Yazdi
Head of the Judiciary